



Public Notification Handbook

Sample Public Notice

1) Description of
the violation or
situation

5) Whether
alternate water
supplies
should be
used

3) Potential
health effects

7) What is being
done to correct
the violation or
situation

9) Name, number,
and business
address for more
information

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Tests Showed Presence of Coliform Bacteria

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

The Jonesville Mobile Home Park routinely monitors for drinking water contaminants. In July, we took a total of 20 samples to test for the presence of coliform bacteria. Three (3) of our samples tested positive. The standard is that no more than one (1) sample per month may test positive.

What should I do?

•You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

What does this mean?

This is not an emergency. If it had been, you would have been notified immediately. Coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliforms are a sign that there could be a problem with our treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**

What happened? What was done?

We took additional samples for coliform bacteria which all came back negative. As an added precaution, we chlorinated and flushed the pipes in the distribution system to make sure bacteria were eliminated. This situation is now resolved.

For more information, please contact John Jones of the Jonesville Mobile Home Park at 555-1212 or the manager's office or write to 1200 Jonesville Rd., Jonesville, ST 12345.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the Jonesville Mobile Home Park.

State Water System ID# 12345. Sent: 8/8/99.

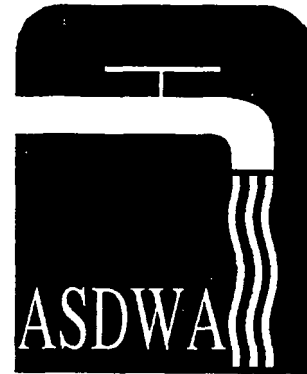
2) When the
violation or
situation
occurred

6) Actions
consumers
should take

4) The population
at risk

8) When the
system expects to
return to
compliance

10) Standard
distribution
language



June, 2000

To Interested Parties:

We are pleased to publish this *Public Notification Handbook*. The *Handbook* will assist water systems in implementing the revised public notification regulation published in the Federal Register on May 4, 2000 (65 FR 25981), under the authority of the 1996 Safe Drinking Water Act (SDWA) amendments. We strongly encourage you to use the new regulation and the *Handbook* together.

The *Public Notification Handbook* is intended to make public water system owners' and operators' jobs easier and public notices more effective. EPA and ASDWA developed the *Handbook* using a Steering Committee comprised of representatives from the American Water Works Association (AWWA), Association of Metropolitan Water Agencies (AMWA), National Association of Water Companies (NAWC), National Rural Water Association (NRWA), and the League of Women Voters (LWV). We held several well attended public meetings and workshops in 1998 and 1999 to review and test the effectiveness of early drafts of the *Handbook*. This *Handbook* is the result of that collaboration.

We intend to update the *Handbook* periodically as EPA publishes new and revised drinking water standards that have a public notification component. We also plan to provide additional notice templates and use EPA's safewater website as a forum for show-casing good public notification practices. If you have suggestions that may improve the usefulness and effectiveness of the *Handbook*, please let us know. Up-to-date information and training materials on the public notification program can be requested from the EPA Safe Drinking Water Hotline at (800) 426-4791 or by visiting EPA's website (<http://www.epa.gov/safewater/pn.html>).

For general questions on this *Handbook*, please contact the Safe Drinking Water Hotline. Technical queries can be directed to Carl B. Reeverts at (202) 260-7273 (or via e-mail at reeverts.carl@epa.gov).

Sincerely,

William R Diamond

William Diamond, Director
Drinking Water Protection Division
EPA Office of Ground Water and
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Vanessa M Leiby

Vanessa Leiby, Executive Director
Association of State Drinking
Water Administrators (ASDWA)

Public Notification Handbook

June 2000

This handbook provides guidance to the States, public water systems, and the general public concerning how EPA interprets its revised public notification regulations. **This document does not, however, substitute for the public notification regulations, nor is it a regulation itself.** Thus, it cannot impose legally-binding requirements on EPA, States, or water suppliers and may not apply to a particular situation. This document is not intended, nor can it be relied upon, to create any rights enforceable by any party in litigation with the United States. EPA may decide to follow the guidance provided in this document, or to act at variance with the guidance based on its analysis of the specific facts present. This guidance may be revised without public notice to reflect changes in EPA's approach to implementing public notice, or to clarify and update text.

You should read the regulations thoroughly to ensure that you are in compliance. The public notice (PN) regulations are in the Code of Federal Regulations under Chapter 40, Part 141, Subpart Q, beginning at section 141.201. A copy of Subpart Q of the *Federal Register* notice for the Final PN rule is in Appendix E.

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Acronyms

CCR	Consumer Confidence Report
CWS	Community Water System
DBP	Disinfection Byproduct
EPA	Environmental Protection Agency
HPC	Heterotrophic Plate Count
IESWTR	Interim Enhanced Surface Water Treatment Rule
IOC	Inorganic Chemical
LCR	Lead and Copper Rule
MCL	Maximum Contaminant Level
MCLG	Maximum Contaminant Level Goal
MRDL	Maximum Residual Disinfectant Level
MRDLG	Maximum Residual Disinfectant Level Goal
NCWS	Non-Community Water System
NPDWR	National Primary Drinking Water Regulation
NTNCWS	Non-Transient Non-Community Water System
NTU	Nephelometric Turbidity Unit
OGWDW	Office of Ground Water and Drinking Water
OW	Office of Water
PN	Public Notification
PWS	Public Water System
SDWA	Safe Drinking Water Act
SMCL	Secondary Maximum Contaminant Level
SOC	Synthetic Organic Chemical
SWTR	Surface Water Treatment Rule
TCR	Total Coliform Rule
TT	Treatment Technique
TWS	Transient Non-Community Water System
VOC	Volatile Organic Chemical

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1. Introduction

The purpose of this handbook is to explain EPA's revised public notification rule and provide specific examples of public notices. In addition to increasing the effectiveness of public notices, this handbook should make public water system owners' and operators' jobs easier and help them comply with Federal and State requirements. State and Tribal primacy agencies should find this handbook useful as well.

Public notification of drinking water violations and other situations provides a means to protect public health, build trust with consumers through open and honest sharing of information, and establish an ongoing, positive relationship with the community. Public notice can also help consumers understand rate increases and support increased funding for drinking water treatment and protection.

The handbook is designed to meet the needs of public water systems of all sizes. Throughout the handbook there are suggestions and instructions targeted to very small community systems (systems that serve 500 people or less). These suggestions, along with other useful hints for creating effective notices, are set aside in shaded boxes throughout the handbook. Some of these instructions may also be applicable to small systems serving more than 500 people. In addition, Chapter 8 specifically addresses the requirements for non-community systems.

The revised public notification rule makes several changes from the previous rule; a side-by-side summary comparison is presented in Appendix D. The changes include new deadlines (most significantly, a change from 72 to 24 hours for the most serious violations, from 14 to 30 days for other serious violations, and from 3 months to 12 months for non-serious violations); modified delivery requirements that give water systems flexibility in choosing a delivery method that will reach their customers best; simplified mandatory health effects language; new standard language for monitoring violations; and a new certification requirement.

This handbook will be updated as EPA develops new regulations that could affect water systems' public notification responsibilities. For example, new templates may be developed to explain violations or situations under new rules. The loose-leaf format will be useful for adding or replacing pages in the handbook.

1. Introduction

The revised rule also provides additional flexibility to primacy agencies, allowing them to set different requirements on both a case-by-case and a rule-by-rule basis. Systems should keep this in mind when using the handbook.

Finally, as you read, you will notice references in parentheses throughout the document. These are references to the appropriate federal regulatory requirement found in the Federal Public Notification Rule (see Appendix E) and are included to help you understand the particular requirement being discussed.

2. How to Use This Handbook

This handbook contains information to help you prepare and issue a public notice. *Before you are faced with a violation or situation requiring public notification, you should read this handbook.* Listed below are the steps to take to respond to a drinking water violation or other situation requiring notice:

1. **Determine what tier your violation or situation falls into.** Use Table 2 on page 8 for a summary of major violations and situations requiring notice and your deadline for providing public notice. You can also refer to Appendix A for a listing by contaminant (141.201(a)).

2. **Consult your primacy agency if required.**

For Tier 1 violations and situations, immediately consult with your primacy agency when you learn of the violation or situation (141.202(b)). You must issue the notice within 24 hours, even if you are unable to contact the primacy agency.

For single exceedances of turbidity limits or for a two-day turbidity MCL violation, immediately consult with your primacy agency when you learn of the violation. Your primacy agency will determine whether the violation needs to be elevated to Tier 1 (141.203(b)).

3. **Review the requirements for public notices.** Read the “Summary of Requirements” chapter starting on page 5, which describes content, mandatory language, formatting, and distribution requirements that are applicable to all notices. Chapter 4 provides guidance on working with the media and planning ahead.
4. **Determine the appropriate method(s) of delivery.** Chapters 5, 6, and 7 describe the method of delivery requirements for Tier 1, 2, and 3 notices, respectively, as well as ideas for creating the most effective notice possible. Required methods vary based on system type. **If you operate a non-community water system, go to Chapter 8, which begins on page 81, for assistance on delivery methods.**
5. **Develop a notice, modifying the templates to fit your situation.** A complete list of templates is provided in the table of contents. At the ends of Chapters 5, 6, and 7 are templates for commonly occurring violations

2. How to Use This Handbook

and situations, along with violation-specific instructions for modifying each template. Chapter 8 contains templates tailored to non-community systems. The instructions for each template are on the front of the page; the corresponding template is on the back. **If there is no template for your violation or situation**, write your own notice using the list of required elements on page 9 or other applicable requirements provided in Chapter 3, and follow the suggestions on layout in Chapters 5 through 7. Some situations and all violations, including monitoring violations, have **required language** regarding health effects (141.205(d)). This language is discussed on page 11 and is found in Appendix B and in the templates.

6. **Translate the notice** if a large proportion of the population you serve does not speak English (141.205(c)). See page 12 for more on how to determine if translations are necessary and how to get help translating notices.
7. **Provide your notice to persons served** as soon as practical but within the allowed time frame. Use the method of delivery chosen in step 4 above.
8. **Send a copy of each type of notice issued (including repeat notices) to your primacy agency** within ten days after you distribute the notice, along with a statement certifying that all public notification requirements have been met (141.31(d)). See the sample certification statement on page 14.

Appropriate Use of the Templates

The templates in this handbook are designed to help operators create public notices for a variety of violations. **However, it is important to note that the templates included here are not inclusive and may not be appropriate for all violations and situations.** Depending on the severity of your violation or situation, it may be necessary to modify the instructions you give to consumers or to change the timing of the notice. For instance, if trichloroethylene levels are ten times the standard (rather than a slight exceedance), you should not tell your customers that they can continue to drink the water. In these cases, you should issue a notice immediately, rather than wait up to 30 days. It is important to consult your local health department or primacy agency in such situations. In some cases, your primacy agency may instruct you to make these changes.

Note that the public notice requirements described in this handbook are based on Federal regulations. States or Tribes may have alternate public notice requirements or more stringent drinking water standards. **You should check with your primacy agency to make sure you meet its specific requirements.**

3. Summary of Requirements

This chapter summarizes the PN rule requirements. Except where noted, all requirements in this chapter can be found in the Code of Federal Regulations (CFR) at 40 CFR 141, Subpart Q, beginning at Section 141.201. See Appendix E.

When and how do I need to notify my consumers?

EPA has assigned each violation and situation requiring notice to one of three categories, or tiers, based on the risk of adverse health effects (see Appendix A). After you learn of a violation or situation, public notice must be provided following the requirements summarized in Table 1 below. Delivery requirements for community water systems (CWSs) and non-community water systems (NCWSs) differ, as indicated below.

Table 1 Requirements for Issuing Public Notice			
Tier	Deadline for Notice	Delivery Methods to Use*	Go to. . .
1	24 hours**	1) Broadcast media (radio or television) or hand delivery or posting 2) Another method as needed to reach others	Chapter 5
2	30 days ***	CWS: 1) Mail or hand delivery 2) Another method as needed to reach others	Chapter 6
		NCWS: 1) Posting, hand delivery, or mail 2) Another method as needed to reach others	Chapter 8
3	1 year****	CWS: 1) Mail or hand delivery 2) Another method as needed to reach others	Chapter 7
		NCWS: 1) Posting, hand delivery, or mail 2) Another method as needed to reach others	Chapter 8
<p>* Primacy agencies may approve other methods.</p> <p>** For Tier 1, systems must also initiate consultation with the primacy agency within 24 hours.</p> <p>*** Systems with turbidity MCL violations based on the average of samples over two days or with turbidity single exceedance treatment technique violations must consult with the primacy agency within 24 hours after learning of the violation.</p> <p>**** EPA recommends consolidating all Tier 3 violations and situations occurring within a given year into an annual notice.</p>			

3. Summary of Requirements

Who must I inform when a violation or situation occurs?

If you are faced with a violation or situation requiring public notification, you must **provide the notice to persons served** by your system. This means you must take all steps reasonably calculated to inform people if they would not be reached by the most commonly used methods of notification. This does not mean that every person in the area served by the system must be notified (this may be impossible), but you must identify different types of consumers and make an effort to reach each. Additionally, every new billing customer or unit must be notified of any ongoing violations or situations for which notice has previously been issued (at non-community systems notices must be posted for as long as a violation or situation lasts).

For example, if a community water system mails a notice to its billing customers only, people who do not receive water bills, such as tenants whose utilities are included in their rent or people who work in the area served by the system but live elsewhere, would not receive a notice. Publishing a notice in the newspaper and providing copies of the notice to landlords to distribute to their tenants would help reach those people. At a non-community system, hand delivery of notices would reach only those consumers who are present when the notices are distributed. Posting would reach visitors or newcomers.

The requirement to include standard language to encourage distribution of the notice (where applicable) described on page 11 is intended to increase public awareness of the situation. Use of this language does **not** relieve you of your obligation to notify persons served, however.

Does every notice need to be sent to everyone in the distribution system?

In general, notices must be provided to persons served throughout the distribution system. In some very limited cases, however, if you can show that a violation affects a portion of the distribution system that is physically or hydraulically isolated from the rest of the distribution system, your privacy agency may allow you to notify only those in the portion of the system that is out of compliance. You must receive written permission from your privacy agency to limit distribution of a notice.

What if I sell water to other systems?

The obligation to notify persons served includes notifying owners or operators of other systems that buy or otherwise obtain water from you. The owners or operators of such systems are responsible for notifying their customers within the appropriate deadline, with the "clock" starting when the purchasing systems learn of the violation or situation from you. Sometimes, however, it may be easier and less confusing for consumers if one system notifies all the customers in consecutive systems (e.g., if the notice is broadcast over television or radio). You should send copies of your notice to purchasing systems prior to notifying the media if time permits. You should incorporate procedures and chains of communication for such situations into your emergency management or communications plan. In addition, any memoranda of understanding you sign with other water systems should spell out each system's public notification responsibilities.

3. Summary of Requirements

What kinds of violations and situations require public notice?

In general, public notice is required for any of the following violations:

- Exceedances of maximum contaminant levels (MCLs) or maximum residual disinfectant levels (MRDLs);
- Violation of treatment techniques;
- Monitoring and testing procedure violations; and
- Failure to comply with the schedule of a variance or exemption.

Other situations (not violations) which require notice include:

- Operation under a variance or exemption;
- Occurrence of a waterborne disease outbreak or other waterborne emergency;
- Exceedance of the secondary maximum contaminant level for fluoride;
- Availability of unregulated contaminant monitoring results; and
- Exceedance of the nitrate MCL in non-community systems that have been granted permission by the primacy agency to continue to exceed the nitrate MCL of 10 mg/l (although they must not exceed 20 mg/l). See Chapter 8.

Primacy agencies may also require notice for other violations and situations.

Table 2 on the next page shows the organization of violations and situations into tiers, based on the seriousness of any potential adverse health effects. For a complete list of contaminants and their appropriate tiers, refer to Appendix A.

3. Summary of Requirements

Table 2
Violations and Situations Requiring Public Notice

Tier 1 Violations and Other Situations Requiring Notice Within 24 Hours*

1. Violation of the MCL for total coliform, when *fecal coliform* or *E. coli* are present in the water distribution system, or **failure to test** for fecal coliform or *E. coli* when any repeat sample tests positive for coliform;
 2. Violation of the MCL for *nitrate*, *nitrite*, or *total nitrate and nitrite*; or when a **confirmation sample** is not taken within 24 hours of the system's receipt of the first sample showing exceedance of the nitrate or nitrite MCL;
 3. Exceedance of the *nitrate* MCL (10 mg/l) by non-community water systems, **where permitted** to exceed the MCL (up to 20 mg/l) by the primacy agency;
 4. Violations of the MRDL for *chlorine dioxide* when one or more of the samples taken in the **distribution system** on the day after exceeding the MRDL at the entrance of the distribution system or when required **samples are not taken** in the distribution system;
 5. Violation of the *turbidity MCL* of 5 NTU, where the primacy agency determines **after consultation** that a Tier 1 notice is required or where consultation does not occur in 24 hours after the system learns of violation;
 6. Violation of the *treatment technique* requirement resulting from a **single exceedance** of the maximum allowable *turbidity limit*, where the primacy agency determines **after consultation** that a Tier 1 notice is required or where consultation does not take place in 24 hours after the system learns of violation;
 7. Occurrence of a **waterborne disease outbreak**, as defined in 40 CFR 141.2, or **other waterborne emergency**; and
 8. **Other violations or situations** with significant potential to have serious adverse effects on human health as a result of short term exposure, as **determined by the primacy agency** either in its regulations or on a case-by-case basis.
- * If your system has any of these violations or situations, in addition to issuing public notice, you must **initiate consultation with your primacy agency as soon as practical but within 24 hours** after you learn of the violation or situation. See Chapter 5 for more details.

Tier 2 Violations Requiring Notice Within 30 Days**

1. All violations of the *MCL*, *MRDL*, and *treatment technique* requirements **except** where **Tier 1 notice** is required;
 2. Violations of the *monitoring* requirements where the **primacy agency determines** that a Tier 2 public notice is required, taking into account potential health impacts and persistence of the violation; and
 3. Failure to comply with the **terms and conditions** of any **variance or exemption** in place.
- ** If you exceed the **maximum allowable turbidity level**, as identified in Appendix A, you must **consult with your primacy agency as soon as practical but no later than 24 hours** after learning of the violation. See Chapter 6 for more details.

Tier 3 Violations and Other Situations Requiring Notice Within 1 Year

1. **Monitoring** violations, except where Tier 1 notice is required or the primacy agency determines that the violation requires a Tier 2 notice;
2. Failure to comply with an established **testing procedure**, except where Tier 1 notice is required or the primacy agency determines that the violation requires a Tier 2 notice;
3. **Operation under variance** granted under §1415 or **exemption** granted under §1416 of the Safe Drinking Water Act;
4. Availability of **unregulated contaminant** monitoring results; and
5. Exceedance of the secondary maximum contaminant level for *fluoride*.

3. Summary of Requirements

What information do I need to include in each notice for a violation or situation?

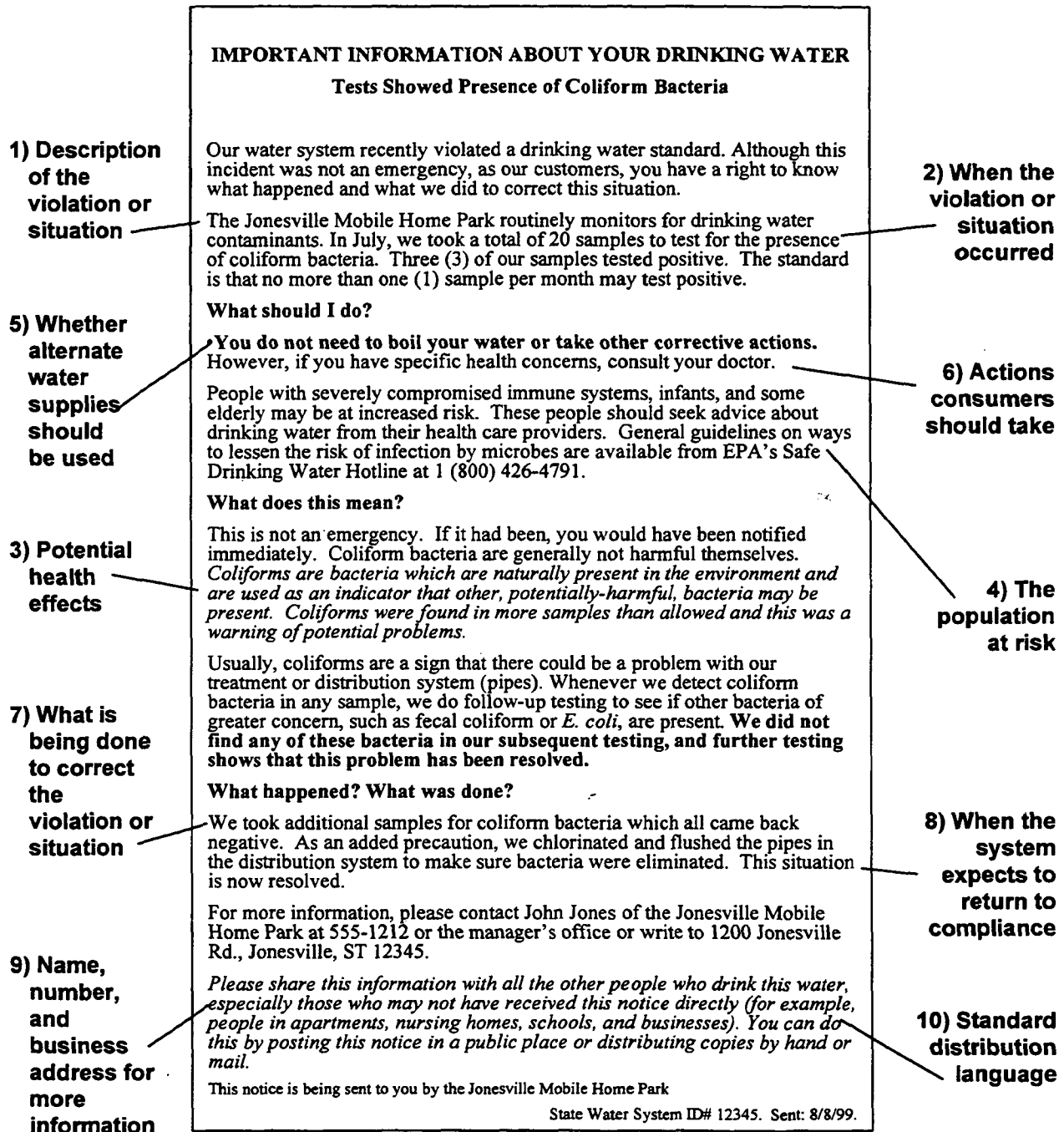
Your public notice must include specific information in order to be considered complete. For each violation and situation requiring notice (**except** for fluoride SMCL exceedances, availability of unregulated contaminant monitoring data, and operation under a variance or exemption), you must provide a clear and readily understandable explanation of the following:

1. The violation or situation, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
2. When the violation or situation occurred;
3. Any potential adverse health effects from drinking the water, using mandatory language described on page 11;
4. The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;
5. Whether alternative water supplies should be used;
6. What actions consumers should take, including when they should seek medical help, if known;
7. What you are doing to correct the violation or situation;
8. When you expect to return to compliance or resolve the situation;
9. Your name, business address, and phone number or those of a designee of the public water system as a source of additional information concerning the notice; and
10. A statement encouraging notice recipients to distribute the notice to others, where applicable, using the standard language given on page 11.

Some required elements may not be applicable to every violation or situation. However, you must still address these elements in your notice. For example, if it is unnecessary for consumers to boil their water or drink bottled water, you should tell them they do not need to do so. This is especially important for Tier 2 notices, where a violation may have been resolved by the time the notice is issued or may not be an immediate health risk. You should consult with your primacy agency or a local health department for the appropriate information for some elements of the notice, such as the actions consumers should take. The local health department also can help you identify other system-specific information, such as the population at risk (e.g., children, dialysis patients).

If you do not know when your system will return to compliance, give your consumers an idea of how long it will take—for example, a few days for an *E. coli* violation or months for failure to install corrosion control. Some situations, such as waterborne emergencies, may not have mandatory health effects language, but you must still describe potential health effects. You may be able to adapt the language from a treatment technique or MCL violation. Figure 1 contains an example showing how all the content elements fit into a notice for a violation.

Figure 1
The Required Elements of a Public Notice



3. Summary of Requirements

What standard language do I have to include in my notices?

- *Language to encourage distribution of the notice to all persons served.* You must include the following language in all notices, where applicable (e.g., in a notice mailed to customers). This language would probably not be necessary on a posted notice, however, since posting makes the notice available to everyone who passes by. It would also not be needed for a notice provided by broadcast and print media. Use of this language does *not* relieve you of your obligation to notify persons served:

"Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail."

- *Health effects language for MCL and MRDL violations, treatment technique violations, and violations of the conditions of a variance or exemption.* You must include the health effects language specified in Appendix B for such violations. You must also describe potential health effects for other situations, even if there is no mandatory language.
- *Language for monitoring violations (including testing procedure violations).* You must include the following language for all monitoring and testing procedure violations:

"We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time."

What information do I need to include for special notices for fluoride SMCL exceedances?

Community water systems that exceed the secondary maximum contaminant level of 2 mg/l for fluoride but do not exceed the MCL of 4 mg/l must include the special fluoride language shown in Template 3-2 and fill in the blanks as appropriate. You do not need to include the ten elements listed above, as these are addressed in the language. You must provide notice as soon as practical but no later than 12 months after you learn of the exceedance and repeat the notice annually as long as the exceedance persists. See Chapter 7 for more information. Primacy agencies may require earlier initial or more frequent repeat notification on a case-by-case basis.

3. Summary of Requirements

What do I need to include for special notices for unregulated contaminant monitoring?

If you monitor for unregulated contaminants, you must issue a public notice stating that the results of the monitoring are available and give a phone number to call for those results. You do not need to include the ten elements listed above, but you must follow the Tier 3 schedule. You may include this information in an annual notice for Tier 3 situations and violations.

What information do I need to include if I've been issued a variance or exemption?

Notices for operating under a variance or exemption have different content requirements than notices for the violations and situations described above. If you are operating under a variance or exemption, you must notify your consumers within one year of obtaining it and repeat the notice annually for as long as the variance or exemption exists. You must include the following in your notice:

- ✓ An explanation of the reason(s) for the variance or exemption;
- ✓ The date on which the variance or exemption was issued;
- ✓ A brief status report on the steps you are taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and
- ✓ A notice of any opportunity for public input in the review of the variance or exemption.

Are there formatting requirements for public notices?

All public notices must meet certain formatting standards. These requirements help prevent the notice from being "buried" in a newspaper and help ensure that consumers can easily read and understand the notice. Notices must:

- ✓ Be displayed in a conspicuous way (where printed or posted);
- ✓ Not contain overly technical language or very small print;
- ✓ Not be formatted in a way that defeats the purpose of the notice; and
- ✓ Not contain language which nullifies the purpose of the notice.

Your primacy agency may have special formatting requirements. Check to be sure that you meet all its requirements.

Will I have to provide notices in languages other than English?

If a large proportion of the population you serve does not speak English, you must provide at least partially multilingual notices. If translations are needed, your notice must, at a minimum, contain information in the appropriate language(s) regarding the importance of the notice, or it must provide a phone number or address where a translated notice or information or assistance in the appropriate language are available. Your primacy agency may have established criteria for what constitutes a large proportion of the people you serve; check with the agency to be sure.

If your primacy agency does not define what constitutes a large proportion of non-English speaking consumers, it is up to you to make this determination. You should rely on your knowledge of your consumer base or contacts with

3. Summary of Requirements

community representatives. As a guideline in making your determination, some states have used a threshold of ten percent of the population or 1,000 people, whichever is less, for providing multilingual information in Consumer Confidence Reports (CCRs). To find information on the languages spoken in your area, see the U.S. Census Bureau's website, <http://factfinder.census.gov> to find information about your community. The census database includes answers to questions about what languages besides English are spoken at home and the level of English proficiency. You should also be able to find out the number of people who speak each language.

You should be more proactive in deciding whether to translate PNs than you would for CCRs. Keep in mind that public notices are about violations of drinking water standards or other situations that pose a health risk, whereas CCRs are educational. You may wish to provide notices in multiple languages if non-English speaking populations are in your service area, whether or not you have a large proportion of such people. Although you are not required to provide **full translations** of notices, this is strongly recommended for Tier 1 notices and for other violations that pose a serious health risk. Primacy agencies may be able to provide you with some assistance in finding translators, but it is your responsibility to get the notice translated. Schools and universities often have students who can translate notices. Make contacts ahead of time with universities, high school teachers, community centers, and other services for low-cost translations. It is also important to work with community or ethnic organizations to make sure the notice gets to non-English speaking consumers.

Spanish templates for nitrate and fecal coliform notices are included with the templates for Tier 1 violations and situations at the end of Chapter 5. These templates are exact translations of the English Tier 1 templates, so if the English templates have to be modified, the Spanish ones must also change. In addition, translations in several languages of important phrases, such as "do not drink the water," "boil your water before using," and others, are included in Appendix C.

What information must I provide my primacy agency?

After you provide the notice to your consumers, you must, within ten days, send your primacy agency a copy of each type of notice you distribute (e.g., newspaper article, press release to TV/radio, mail notices) and a certification that you have met all the public notification requirements (141.31(d)). You must send certifications for both initial and any repeat notices. **When you certify, you are also stating that you will meet future requirements for notifying new billing units of the violation or situation.**

3. Summary of Requirements

A sample certification "box" with appropriate language is provided below. The box is not mandatory (only a statement is); however, it is a useful tool for tracking and noting required activities. You may wish to copy this certification onto the bottom or reverse of the copy of the notice you send to the primacy agency.

PWS Name: _____ [system name] _____	
PWS ID #: _____ [PWS number] _____	
For Violation: _____ [describe violation or situation] _____	
Occurring on _____ [insert date] _____.	
The public water system indicated above hereby affirms that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in [regulatory citation].	
<input type="checkbox"/> Consultation with primacy agency (if required) on _____ [insert date] _____.	
<input type="checkbox"/> Notice distributed by _____ [insert method] _____ on _____ [insert date] _____.	
<input type="checkbox"/> Notice distributed by _____ [insert method] _____ on _____ [insert date] _____.	
<input type="checkbox"/> Content - required elements.	
_____ Signature of owner or operator	_____ Date

4. Making Public Notification Work

How can I prepare for public notification before a violation or situation occurs?

- Integrate planning for Tier 1 public notification into your community and water system emergency management plans. When a serious violation, waterborne disease outbreak, or other emergency occurs, you will already have an established decision process and chain of command and have other departments available to assist you. This should include working with your local health department or sanitarian. Consumers may call the health department for information; if you coordinate with the department, you will be able to give out consistent information. Also, work with your community's emergency managers to establish ties with the state office that works with National Oceanic and Atmospheric Administration (NOAA)/National Weather Service (NWS) to access the Emergency Alert System (EAS). Through memoranda of agreement between states and the NWS, communities can broadcast alerts of non-weather emergencies, including drinking water violations and situations, via NOAA Weather Radio and NOAA Weather Wire Service.
- Find out who you should contact at the primacy agency for cases where consultation is required. Determine whether there are alternative procedures for notifying the agency when violations or situations occur on weekends or holidays.
- As part of planning for Tier 1 notification, work with the media ahead of time. Explain to them what constitutes an emergency and what your needs would be during a crisis.
- Establish contacts with institutions and people who can translate notices into other languages for you and who can help you target non-English speaking populations for distribution of translated notices. Community centers and universities can help provide translations. Word-of-mouth is often the best way to get the notice to non-English speaking consumers, especially if there are no television or radio stations or newspapers in those languages. Work with churches, community leaders, and activist groups. Post notices in ethnic grocery stores, laundromats, and other locations where people gather. See page 12 for more on multilingual notices.

4. Making Public Notification Work

- Remember that some of your consumers may have a low reading ability. For this reason, it is important that notices do not contain overly technical or confusing language. Whoever on your staff is responsible for responding to questions about the notice should keep in mind that it may be necessary to read or explain the entire notice to a caller. You should also figure out how to target visually and hearing impaired populations and meet their needs. Again, community centers or word-of-mouth may be useful.
- Obtain fact sheets on contaminants from EPA's Safe Drinking Water Hotline at 1(800) 426-4791 or the Agency's website at <http://www.epa.gov/safewater/dwhealth.html>. This way, if your consumers call to ask for information, you will be able to help them. The fact sheets are updated periodically, so make sure you have the most recent version. The Hotline also can provide phone numbers for state laboratory certification offices, where you can get a list of labs certified to analyze tap water.
- The U.S. Centers for Disease Control and Prevention (CDC) is a good source of information on drinking water contaminants that can cause disease, including *Cryptosporidium* (<http://www.cdc.gov>, 1 (800) 311-3435). For instance, guidelines on notification for cryptosporidiosis are available in *Cryptosporidium and Water: A Public Health Handbook*. This handbook discusses the decision-making process for issuing boil water advisories, provides information on preparing news releases, and contains educational fact sheets on preventing disease. Much of the information in the handbook is also applicable to other types of disease outbreaks and emergencies. The handbook, along with fact sheets and other publications on *Cryptosporidium* are available at: <http://www.cdc.gov/ncidod/dpd/parasites/cryptosporidiosis/default.htm>. Information on other diseases is available at: <http://www.cdc.gov/health/diseases.htm>.
- If you are going to provide bottled water, especially for a Tier 1 violation or situation, you should confirm ahead of time and periodically reconfirm that available bottled water supplies meet the Food and Drug Administration or state safety standards by asking bottlers for their most recent testing results.
- Implement ongoing public education programs about contaminants at risk of violation; that is, contaminants whose levels are below the MCL but have the potential in the future to exceed it (or have previously exceeded it). This would apply to naturally occurring contaminants, such as radium, fluoride, or arsenic, and for recurring pollution problems (e.g., nitrate, pesticides). With an education program in place, consumers will be better informed if a violation occurs.

4. Making Public Notification Work

How can I make a notice more easily readable?

- Assume that consumers only read the top half of the notice (or what can be read in ten seconds). The most important information, especially instructions to protect consumers' health, should be placed on the top half of the notice in large print. Smaller type is appropriate for the less critical elements, e.g., what the system is doing, an explanation of the cause of the violation or situation, etc. You must still include all the required elements in the notice.
- Try to limit the wordiness of the notice. A question and answer format is easy to read and guides readers to the information that is likely to concern them. Bullets and bold text are also effective.
- Highlight the name of your system, especially where people in your area are served by more than one water system. You may also want to prepare a map showing the area you serve, especially if it extends beyond city limits. You may want to print the notices on your system's letterhead which, coupled with the title of the notice, will make people immediately recognize that the notice is important.

Case Study

City of Lacey, Washington

To alert residents of an *E. coli* violation, the City of Lacey and the Washington State Department of Health issued a joint press release. (The City also hand-delivered notices in the affected neighborhood.) Co-issuing the notice gave the press release greater credibility and showed that the City and State were giving out consistent information. At the same time, the City contacted Seattle and Tacoma television and radio stations and newspapers. The local newspaper also interviewed system personnel daily. While Lacey received positive feedback on its efforts within the affected neighborhood, it also learned an important lesson about working with the media. Many unaffected consumers were unnecessarily alarmed because lengthy television interviews were edited to short sound bites, some of which did not mention that only 450 homes in the system's 40,000-person distribution area were affected. Lacey addressed the misperception through the local newspaper and a special consumer hotline. This taught the City the importance of prioritizing information for the press.

How can I ensure that the media distributes an accurate notice?

- If you write a press release or get a reporter to write a story for the newspaper, TV, or radio, explain to the newspaper or station what information you are trying to communicate and why (i.e., the ten elements required on each public notice). The most important information, including a description of the violation or situation, the population at risk, the instructions to consumers, and potential health effects, should be near the beginning. Be sure to include a contact name and telephone number so the media can call you for more information.

4. Making Public Notification Work

- When you send the notice to **radio and TV stations and newspapers**, write "PRESS RELEASE FOR PUBLIC SAFETY" at the top of the notice to emphasize its importance.
- If the media will not run a story on your violation or situation, ask an official from your **emergency management department** to participate by reading the notice on the air or agreeing to an interview. The media may be more likely to air a public notice connected to such officials.
- If a newspaper will not publish a story or press release, you may need to buy space to print the notice in its entirety. You should buy an **advertisement** as close to the front of the paper as possible and make it large enough that people will easily see it. Legal notices are not recommended because they rarely meet the formatting requirements for public notices and are not widely read.
- Develop an ongoing relationship with the media. Hold an annual **media day** where you can explain how your system operates, including any improvements you may be implementing. In addition, look into whether local news outlets hold community outreach days—this is another way to form a relationship with the media. The more informed the members of the media are about the water system in general, the more accurate and positive they will be when writing about a violation or situation. They will also be more likely to give your story the space it needs. Designate one person on your staff to serve as a liaison to the media.

General Tips on Working with the Media

- Be truthful and up-front about local water quality issues.
 - Answer questions as well as you can, but don't be afraid to say that you need to check on something if there is a question you can't answer (once you find the information, quickly report back on what you've found).
 - Keep in mind that reporters are not familiar with state or federal requirements for safe drinking water – avoid technical jargon!
 - Provide additional sources of information (for instance, referrals to state contacts or EPA fact sheets).
 - Be sensitive to the fact that reporters may be working on tight deadlines.
 - Provide a list of the elements that must be addressed.
 - Don't be upset if a newspaper article isn't exactly as you would want it, but politely tell a reporter if a significant piece of information is wrong or missing.
 - Don't be defensive when answering questions.
- When you send a press release to local television and radio stations, try to get them to commit to airing the story. **Watch or listen to the news** to be sure the public notice is aired. It is possible that, despite your best attempts, the story will be incomplete or the TV/radio station will not air the notice. If this happens, distribute a written follow-up notice as soon as possible, even if the deadline has passed. Include any additional information that has become available since the initial notice was prepared. Although a partial notice telling consumers what to do is better than no notice, your obligation under the PN rule is not satisfied until a complete notice is distributed.

4. Making Public Notification Work

What other steps should I take after issuing a notice?

Your primacy agency may require you to do follow-up or “problem corrected” notices for violations or situations, particularly for Tier 1. If it does not, you should consider issuing such a notice anyway. Sometimes, information on the source of the contamination is not available at the time of an initial notice. Providing a notice with updated information demonstrates that you are working on the problem. Consumers will expect to receive official word that the problem is solved or being addressed. Template 1-6 at the end of Chapter 5 is an example of a notice for a corrected violation.

You should notify local health professionals of the violation or situation. People may call their doctors with questions about how the violation or situation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to make plans to use uncontaminated water.

How can I prevent overreaction to a public notice?

Public education can minimize overreaction to a water problem and can help focus community attention on the source of a problem. Public education about contaminants, what a public notice means, and specific types of water problems is an excellent public relations tool. It helps create a partnership between you and your customers and reduces the prevalence of the “us versus them” mentality.

Public notification for recurring problems such as nitrate is more effective if supplemented by a public education program. There are a number of ways to create awareness of a contaminant problem and of what it means for public health. These include public meetings at community centers, newspaper or local TV and radio coverage, working with local libraries to establish a reference section on the problem, or newsletters or factsheets mailed with monthly bills or otherwise distributed broadly throughout the community. Information that is helpful to the public includes:

- Descriptions of the contaminant(s);
- Information on how contaminants get into the water;
- What you are doing to prevent or correct the problem;
- Why the problem recurs, and what the public can do to prevent a recurrence;
- If and why protection measures have a limited effectiveness; and
- The impact on the consumer.

While ongoing problems warrant implementing an early and ongoing public education campaign, public response to a notice can point you to other areas in which public education would be useful. For example, if you receive a high number of calls about a notice, there is probably a need for greater public understanding of the problem.

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5. Tier 1 Notice Requirements and Suggestions

Tier 1 notices must be issued for the following violations and must meet the content, format, and multilingual requirements described in Chapter 3, "Summary of Requirements" (141.202(a)):

- Total coliform MCL violations where **fecal coliform** or *E. coli* are present, or failure to test for fecal coliform or *E. coli* when any repeat sample tests positive for coliform;
 - **Nitrate, nitrite, or total nitrate and nitrite** MCL violations, or failure to take a confirmation sample for nitrate or nitrite within 24 hours after learning that an initial sample exceeded the MCL;
 - Exceedance of the **nitrate MCL by non-community water systems** that have been granted permission by the primacy agency to continue to exceed the MCL of 10 mg/l, although they must not exceed 20 mg/l (See Chapter 8);
 - **Chlorine dioxide MRDL** violations when one or more of the samples **taken in the distribution system** on the day after exceeding the MRDL at the entrance of the distribution system or when required samples are not taken in the distribution system;
 - **Turbidity MCL** violations of 5 NTU or more, **if elevated** to Tier 1 by the primacy agency, or if consultation does not occur within 24 hours of the violation (see Chapter 6);
 - **Treatment technique** violations resulting from a single exceedance of turbidity limits, **if elevated** to Tier 1 by the primacy agency, or if consultation does not occur within 24 hours of the violation (see Chapter 6);

Public Notification of Waterborne Emergencies

When a construction crew accidentally ruptured a sewer line one mile from its wellfield, the Town of Walkersville, MD immediately issued a precautionary boil water advisory for infants, the elderly, and people with severely compromised immune systems. While no drinking water contamination was evident, the Town was concerned that its treatment plant might not be capable of removing or inactivating *Cryptosporidium* that might be present in the sewage. To notify consumers, volunteer fire department staff knocked on doors at 3,000 homes and businesses, and Walkersville notified the cable company and other local media. Walkersville also provided water in tanker trucks to a local nursing home and spoke to medical professionals in the area. Three days later, when tests of untreated well water showed increasing bacteria concentrations (but before any contamination was detected in the finished water) the boil water advisory was extended to all residents, including those using private wells. The volunteer fire department again assisted with notification. Tanker trucks were set up in four locations. The advisory was rescinded when Walkersville temporarily connected to the nearby Frederick, MD water supply. Even though bacteria levels reached 30,000 organisms/100 ml in well water and *Cryptosporidium* was confirmed in the sewage, no residents became ill due to the incident, in large part due to the early public notification and quick response by the Town.

5. Tier 1 Notice Requirements and Suggestions

- The occurrence of a **waterborne disease outbreak** or **other waterborne emergency** such as a treatment failure, chemical spill or overfeed, sewage spill, or natural disaster; or
- **Other violations or situations** which could cause serious health effects, **as determined by your primacy agency.**

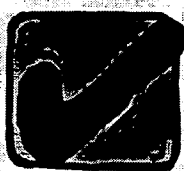
What is the deadline for issuing a Tier 1 notice?

As soon as practical but within 24 hours of learning of a violation or situation, you must:

- Issue a public notice.
- Initiate consultation with your primacy agency (141.202(b)).

The **consultation** with the primacy agency is independent of the public notice itself. You must issue the notice within

24 hours, even if you are unable to contact anyone at the primacy agency. Most primacy agencies have 24-hour emergency hotlines, so consultation should be possible at any time. As a result of the consultation, your primacy agency may set additional public notice requirements (141.202(b)). It may ask you to issue repeat notices for continuing violations or situations, "problem corrected" notices, or, if your initial notice does not meet the requirements, another initial notice. The agency may also require you to provide notice to specific groups, such as health care providers.



Required Elements of a Public Notice (141.205(a))

1. A description of the violation or situation;
2. When the violation or situation occurred;
3. Potential adverse health effects, using language in Appendix B or language for monitoring violations;
4. Population(s) at risk;
5. Whether alternative water supplies should be used;
6. Actions consumers should take, including when they should seek medical help, if known;
7. What you are doing to correct the violation or situation;
8. When you expect to return to compliance;
9. Name, business address, and phone number for additional information; and
10. Standard language encouraging distribution to all persons served, where applicable.

Remember to **send a copy of each type of notice and a certification**

statement to your primacy agency within ten days after providing the initial and any repeat notice (141.31(d)). You must also notify new billing customers of ongoing violations for which you've previously provided notice (141.206).

Which methods of delivery must I use?

You must use one or more of the following: **broadcast media** (radio and television), **posting** in conspicuous locations, **hand delivery**, or a **method approved by the primacy agency** in advance or during consultation. The method(s) you choose must be reasonably calculated to reach all persons served, including residents, employees, and travelers. Therefore, you may need to use other methods *in addition* to those previously mentioned. For instance, in a large system, you should provide the notice to local radio and television stations; then, to reach people who don't watch or listen to the news, you should also put the notice in the newspaper. You must use at least one of

5. Tier 1 Notice Requirements and Suggestions

the required methods and whatever other methods are necessary to help you reach all consumers (141.202(c)).

Be sure that people understand the importance of notifying others who may travel through the distribution area of the violation or situation. For instance, people who patronize restaurants or work in office buildings in the distribution area but live elsewhere may not be aware of the violation or situation. Owners of these establishments should be encouraged to tell their customers about the violation or situation.

Suggestions for Effective Public Notification Delivery

- When **choosing a method** for public notification, you should consider several issues, including the population served, population density (i.e., is the area rural, urban, or suburban), available assistance, and proximity to and relationship with radio and television stations and newspapers.
- **Non-community systems** should refer to Chapter 8 of this handbook, "Special Needs of Non-Community Systems."
- **Large systems** should use a combination of broadcast media and newspaper, if available. You should also supplement media notices by posting in public buildings and delivering multiple copies of notices to clinics or community centers.
- When you write a notice for **radio or television**, assume that it will only receive a few seconds of air time. Make sure the most important information, including a phone number to call for more information, will be included. **See Chapter 4, "Making Public Notification Work,"** for tips on **working with the media.**



Tips for Very Small Community Systems

Here are some suggestions for these systems to use to reach the people they serve:

- Hand delivery combined with posting at grocery stores, banks, etc., may be appropriate for you, especially if radio and/or TV are impractical.
- In rural areas within range of a radio or TV station in a larger town, ask the station to air the notice. You may still need to use additional methods of notification.
- Hold community meetings, especially where consumers have low reading ability or don't speak English (where the operator or a community member can translate).

- For TV notices, ask the station or cable company to put "**scrollers**" across the screen similar to National Weather Service announcements for tornado watches. This is a good way to put the notice on TV and reach people who don't watch the news, as well as target a subsection of the TV audience. You can also work with the appropriate state office to broadcast alerts on NOAA Weather Radio and NOAA Weather Wire Service.
- **Automatic phone dialers** may be effective in large systems as a supplement to broadcast media.

5. Tier 1 Notice Requirements and Suggestions

Some cities and counties have a computer-based rapid-call system which can be integrated with geographic information systems to target a specific service area. Dialers should not be relied on too heavily; consumers may hang up on recorded messages, children may answer the phone and not transmit the message to their parents, or residents of some homes may not speak English.

- Prepare written notices on your **water system's letterhead**. This gives the notice additional credibility and makes it easily recognizable as official word from the water system.
- It is strongly recommended that you **fully translate** Tier 1 notices into other languages or provide a phone number for assistance in other languages if there are non-English speaking populations in your service area. See pages 12 and 15 for more information on translating and getting the notice to these groups. At a minimum, you must include some information in the appropriate language if there is a large proportion of such people (141.205(c)). You may also target the blind and deaf communities and people with low reading abilities.



Selecting a Delivery Method

Here are some questions to consider when determining how to deliver your notice:

- My system is in a suburban area. How can I write the notice so that it will not alarm the rest of the metropolitan area when delivered through the media? Can I be sure the radio or TV station will give the notice the air time it needs?
- Will the local newspaper write an accurate article about the violation or situation? Will it prominently publish the information in a press release? Will I need to buy an ad or notice?
- Do I have the time and resources to deliver the notice door-to-door?

- Send a **broadcast fax**. Program your fax machine with the fax numbers of all radio and television stations in the area so that the push of a button sends the notice to all of them.
- You can make **door hangers** for hand delivery that will not easily blow away. Knot a rubber band through a hole punched in the notice and put the rubber band around consumers' door knobs.
- If you post a notice, **be sure that the notice is durable**. It should not blow away if posted outdoors. Consider laminating notices that will be placed over sinks or outside, especially if they are likely to remain there for an extended time.

5. Tier 1 Notice Requirements and Suggestions

Case Study City of Lacey, Washington

Throughout the course of an *E. coli* violation, the City of Lacey water system maintained close contact with the lab, seeking its insight on tests, protocols, and ramifications. This enabled the system to make timely decisions or at least prepare for likely outcomes. The system could then anticipate and initiate the next outreach or public awareness piece. As soon as it became evident that repeat samples for *E. coli* would be positive, the water system mobilized city employees to conduct an early evening door-to-door notification to about 450 homes in the affected area. Employees rang doorbells to talk to residents and provided door hangers that included a boil water order, health effects language on *E. coli*, and information on a community meeting to be held the next day. City employees also staffed a hotline for consumers. Lacey set up a temporary bulletin board in the affected neighborhood to post updates. The electronic and print media also ran stories on the situation. When the boil water order was lifted, the system held another meeting and again hand-delivered door hangers, which included customer evaluation forms. Ninety percent of the respondents gave Lacey a rating of satisfactory or higher for its handling of the event, citing the City's proactive outreach effort as the reason for the solid rating.

Suggestions for Layout of the Notice

Tier 1 notices should convey the urgency of the situation and make it clear to consumers what actions they must take. Templates 1-1 through 1-5 at the end of this chapter offer sample language and instructions for preparing Tier 1 public notices. Template 1-1A contains Spanish language for a nitrate notice; Template 1-2A contains Spanish language for a fecal coliform or *E. coli* notice.

1. Title – Public notices for Tier 1 violations and situations, especially those used for posting, hand delivery, or in a newspaper, should have an attention-getting title. For example, "WARNING" is better than "Public Notice." This should be followed by the targeted audience or the population at risk, such as "People served by ____ Water System" for notices for fecal coliform violations or disease outbreaks, or "Infants under 6 months" for notices for nitrate violations. If the area you serve does not follow municipal boundaries or if only a portion of the distribution system is affected, define the area at the top of your notice or include a map. Titles should be in large and/or bold type and centered across the top of the page.
2. Consumer Actions – The instructions to consumers should be next in your notice. This should be a short phrase in large type, such as "Boil Your Water" or "Do Not Drink the Water."
3. Description of the Violation or Situation – A short description in large type of the violation or situation should follow instructions to consumers. As soon as consumers read "Boil Your Water" for a fecal coliform notice, they will want to know why they should do so. However, since this is a headline, it should be kept short and concise. As another example, for nitrate violations, you could say, "High nitrate levels have been detected." Then the level detected should be listed in

5. Tier 1 Notice Requirements and Suggestions

normal type, followed by the maximum contaminant level (MCL), or action level, if applicable. A more detailed explanation of the violation or situation should be given in the body of the notice.

4. Other Consumer Actions — For nitrate violations, the notice should instruct consumers not to boil water, since that may be their first reaction, and explain why. For microbiological violations or waterborne disease outbreaks or other emergencies, provide detailed instructions on using boiled water for brushing teeth, cooking, making ice, etc. If you instruct consumers to use bottled water, you should make sure that any water you provide meets standards. Be sure to provide instructions for those who are not at high risk as well. For example, nitrates at levels below 20 mg/l are not generally considered hazardous to adults. Fecal coliform might only be present in part of the distribution system, and unaffected consumers (i.e., people outside of a narrow area impacted who do not need to boil their water) should be told they do not need to take action but have a right to be informed of the problem.
5. Other Elements — The following order is suggested for the remaining elements: whether (and where) consumers should seek alternative drinking water sources; potential health effects (using the language in Appendix B); the date the violation or situation occurred; corrective action you are taking; when you expect to return to compliance or resolve the situation; and the name, address, and phone number of a person to contact for more information. If you are coordinating with the local health department, you may wish to also list its phone number. Do not alter the health effects language in any way.
6. Optional Elements — If you know the source of the contamination, include it in the notice. This information helps the consumer understand why there is a violation or other situation and what is necessary to resolve it. It also reinforces the fact that drinking water is a vulnerable resource that must be protected.
7. Public Water System ID Number/Date of Distribution— You should include your PWS ID number at the bottom of the notice. This will help your primacy agency track compliance and prevent tracking errors between systems with similar names. Also include the date you distributed the notice.

TIER 1 TEMPLATES

The pages that follow contain templates for Tier 1 violations and waterborne disease outbreaks, as listed below. Along with each template are instructions, including the required method of delivery and instructions for completing individual sections of the notice. These instructions are designed to supplement Chapter 5, so you may see much of the information repeated here.

Mandatory language on health effects, which must be included exactly as written, is presented in *italics* (141.205(d)).

You must also include the following italicized language in all notices, where applicable (141.205(d)). Use of this language does *not* relieve you of your obligation to take steps reasonably calculated to notify all persons served:

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Templates

Nitrate Notice--Template 1-1
Spanish Nitrate Notice--Template 1-1A
Fecal Coliform or *E. coli* Notice--Template 1-2
Spanish Fecal Coliform or *E. coli* Notice --Template 1-2A
Waterborne Disease Outbreak Notice--Template 1-3
Turbidity Single Exceedance as Tier 1--Template 1-4
Chlorine Dioxide MRDL Notice--Template 1-5
Tier 1 "Problem Corrected" Notice--Template 1-6

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Instructions for Nitrate Notice—Template 1-1

Template on Reverse

Since exceeding the nitrate maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time period you must also contact your primacy agency. You should also coordinate with your local health department. **This template is also applicable to nitrite and total nitrate and nitrite violations.** You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). See Chapter 8 for a notice designed for posting. If you post or hand deliver, print your notice on letterhead, if available.

Alternative Sources of Water

If you are providing alternative sources of water for infants, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets the standard for nitrates by contacting the bottler and asking for the most recent test results.

Repeat Notices

If this is a repeat notice (as required by your primacy agency), or if your system's nitrate levels fluctuate around the MCL, you may wish to include an explanation similar to the following:

You were initially notified of high nitrate levels on [date]. Since that time we have been monitoring the nitrate concentration every three months. Seasonal fluctuations in nitrate concentrations have been observed, due to nitrates contained in fertilizer. It appears that high nitrates occur during the later summer and fall. Note that prior to [year] we were meeting drinking water standards for nitrate.

Corrective Action

In your notice, describe corrective actions you are taking. The bullet below describes one action commonly taken by water systems with nitrate/nitrite violations. Use this language, if appropriate, or develop your own:

- We are investigating water treatment and other options. These may include drilling a new well, mixing the water with low-nitrate water from another source, or buying water from another water system.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)). You should also issue a follow-up notice in addition to meeting any repeat notice requirements your primacy agency sets.

You should notify health professionals in the area of the violation. People may call their doctors with questions, and the doctors should have the information they need to respond appropriately. They also need to make sure the water is not provided to infants in their care.

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DRINKING WATER WARNING

[System] water has high levels of nitrate –

**DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR
USE IT TO MAKE INFANT FORMULA**

Water sample results received [date] showed nitrate levels of [level and units]. This is above the nitrate standard, or maximum contaminant level (MCL), of [state/federal MCL]. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.* Blue baby syndrome is indicated by blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- Adults and children older than six months can drink the tap water (nitrate is a concern for infants because they can't process nitrates in the same way adults can). However, if you are pregnant or have specific health concerns, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year. We'll let you know when the amount of nitrate is again below the limit.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Instructions for Spanish Nitrate Notice–Template 1-1A

Template on Reverse

The template on reverse is a Spanish translation of Template 1-1 for nitrate. All the instructions of Template 1-1 apply. If you modify the English template, you should modify this template accordingly. Schools or universities may be able to provide low cost translations. See page 12 for suggestions on multilingual notices.

AVISO SOBRE SU AGUA POTABLE

**Agua del sistema [system name] tiene altos niveles de nitratos -
NO DAR DE BEBER ESTA AGUA A BEBES MENORES DE 6 MESES
DE EDAD NI USARLA PARA HACER LECHE DE FORMULA**

Resultados de muestras de agua recibidos en [date of violation in Spanish (day-month-year)] muestran concentraciones de nitratos en el agua de [level and units in Spanish]. Este nivel está por encima de la norma, o nivel máximo de contaminación (NMC) de [state/federal MCL in Spanish]. Nitratos en agua potable puede generar serios problemas de salud para bebés menores de 6 meses de edad.

¿Que debo hacer?

- **NO LE DE ESTA AGUA A BEBES.** *Bebes menores de seis (6) meses que ingieran agua con nitratos en exceso del nivel máximo de contaminación (NMC) se pueden enfermar seriamente y, de no ser tratados, pueden morir. Los síntomas incluyen dificultad en respirar y síndrome de bebé azul.* El síndrome de bebé azul se refiere al color azulado que toma la piel del bebé. Los síntomas en los bebés pueden desarrollarse con rapidez, con el deterioro de su salud en los días subsiguientes. Si los síntomas ocurren en infantes menores de seis (6) meses de edad, busque atención médica inmediatamente.
- Agua, jugo o leche en polvo para bebés menores de seis (6) meses de edad no debe prepararse con agua del grifo. Debe emplear agua embotellada u otra agua baja en nitratos hasta próximo aviso.
- **No hierva el agua.** Hervir, congelar, filtrar o dejar el agua en reposo no reduce el nivel de nitratos. De hecho, al hervir el agua puede aumentar aún más la concentración de nitratos, debido a que los nitratos permanecen cuando parte del agua se evapora.
- Adultos e infantes mayores de seis (6) meses de edad pueden tomar el agua del grifo. (Los nitratos son peligrosos para los bebés debido a que ellos no pueden procesar los nitratos de la misma manera que los adultos). Sin embargo, si usted está embarazada o tiene algún problema de salud en particular, puede optar por hacer una consulta con su médico.

¿Qué pasó? ¿Qué se está haciendo al respecto?

Nitratos en el agua pueden provenir de fuentes naturales, industriales o de la agricultura (incluyendo descargas de tanques sépticos y lluvias). Las concentraciones de nitratos en el agua potable varían a lo largo del año. Nosotros les avisaremos cuando los niveles de nitratos estén nuevamente debajo del límite.

[Describe corrective action, seasonal fluctuations, and when the system expects to return to compliance in Spanish.] Para mayor información, favor contactar a [name of contact] al teléfono [phone number] o escribiendo a [mailing address].

Por favor comparta esta información con otros que pueden tomar de esta agua, colocando este aviso en lugares visibles, o remitiéndolo por correo, o entregándolo manualmente. Es de particular interés distribuir este aviso ampliamente si usted lo recibe representando un negocio, un hospital u hogar de infantes u hogar de ancianos o comunidad residencial.

Este aviso ha sido enviado a usted por [system]. Numero de Identificación : _____. Fecha de distribución: _____

Instructions for Fecal Coliform or *E. Coli* Notice—Template 1-2

Template on Reverse

Since exceeding the fecal coliform or *E. coli* maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time, you must also contact your primacy agency. You should also coordinate with your local health department. You may also have to modify the template if you also have high nitrate levels or other coliform MCL violations. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). See Chapter 8 for a notice designed for posting. If you post or hand deliver, print your notice on letterhead, if you have it.

Population Served

Make sure it is clear who is served by your water system—you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with fecal coliform or *E. coli* violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are chlorinating and flushing the water system.
- We are switching to an alternate drinking water source.
- We are increasing sampling for coliform bacteria to determine the source of the contamination.
- We are repairing the wellhead seal.
- We are repairing the storage tank.
- We are restricting water intake from the river/lake/reservoir to prevent additional bacteria from entering the water system and restricting water use to emergencies.

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to your primacy agency within ten days from the time you issue the notice (141.31(d)).

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of contamination so they can use bottled water.

It is a good idea to issue a "problem corrected" notice when the violation is resolved. See Template 1-6.

DRINKING WATER WARNING

[System] water is contaminated with [fecal coliform/*E. coli*]

BOIL YOUR WATER BEFORE USING

Fecal coliform [or *E. coli*] bacteria were found in the water supply on [date]. These bacteria can make you sick, and are a particular concern for people with weakened immune systems.

What should I do?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for one minute, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation **until further notice**. Boiling kills bacteria and other organisms in the water.
- *Fecal coliforms and *E. coli* are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice. People at increased risk should seek advice about drinking water from their health care providers.

What happened? What is being done?

Bacterial contamination can occur when increased run-off enters the drinking water source (for example, following heavy rains). It can also happen due to a break in the distribution system (pipes) or a failure in the water treatment process.

[Describe corrective action.] We will inform you when tests show no bacteria and you no longer need to boil your water. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address]. General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1(800) 426-4791.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____ Date distributed: _____

Template on Reverse

The template on reverse is a Spanish translation of Template 1-2 for fecal coliform or *E. coli*. All the instructions of Template 1-2 apply. If you modify the English template, you should modify this template accordingly. Schools or universities may be able to provide low cost translations. See page 12 for suggestions on multilingual notices.

AVISO SOBRE SU AGUA POTABLE

El Agua del Sistema [system name] esta contaminado con [bacterias coliformes fecales/*E. coli*]

HIERVAN EL AGUA ANTES DE USARLA

Bacterias coliformes fecales (o *E. coli*) fueron encontradas en su servicio de agua el día [date of violation in Spanish (day-month-year)]. Estas bacterias pueden enfermarle, y son especialmente peligrosas para personas con las defensas bajas o sistemas inmunológicos débiles.

¿Que debo hacer?

- **NO BEBA EL AGUA SIN ANTES HERVIRLA.** Hierva toda el agua, déjela hervir por un minuto, y déjela reposar antes de usarla, o utilice agua embotellada. Agua hervida o embotellada debe ser usada para beber, hacer hielo, lavarse los dientes, lavar los platos y para preparar la comida hasta próximo aviso. Hierviéndola mata a bacteria y otros organismos en el agua.
- *Coliformes fecales o *E. coli* son bacterias cuya presencia indica que el agua esta contaminada con desechos humanos o de animales. Microbios de esos desechos pueden causar diarrea, cólicos, nausea, dolores de cabeza u otros síntomas. Pueden representar un peligro para la salud de bebés, niños y niñas de corta edad y personas con sistemas inmunológicos en alto riesgo.*
- Los síntomas descritos arriba no ocurren solamente debido a los microbios. También pueden ser causados por otros motivos. Si usted siente estos síntomas y estos persisten, usted puede optar por hacer una consulta con su médico. Personas en situaciones de alto riesgo deben consultar con sus proveedores de servicios médicos.

¿Qué pasó? ¿Qué se está haciendo al respecto?

Contaminación bacteriana puede ocurrir cuando exceso de aguas rebasan sus cauces y entran a las fuentes de agua potable (por ejemplo, luego de una lluvia fuerte). También pueden ocurrir cuando se rompe un sistema de recolección de aguas negras, o cuando hay una falla en el tratamiento de agua.

[Describe corrective action in Spanish] Le informaremos cuando las pruebas demuestren que no hay bacterias y que usted ya no necesita hervir su agua. Anticipamos que resolveremos el problema el [date of expected resolution in Spanish day-month-year].

Para mayor información, por favor póngase en contacto con [contact name] al [phone number] o escribiendo a [mailing address].

Por favor comparta esta información con otros que pueden tomar de esta agua, colocando este aviso en lugares visibles, o remitiéndolo por correo, o entregándolo manualmente. Es de particular interés distribuir este aviso ampliamente si usted lo recibe representando un negocio, un hospital u hogar de infantes u hogar de ancianos o comunidad residencial.

Este aviso ha sido enviado a usted por [system]. Numero de Identificación : _____. Fecha de distribución: _____

Instructions for Waterborne Disease Outbreak Notice—Template 1-3

Template on Reverse

Since a waterborne disease outbreak is a Tier 1 situation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the situation (141.202(b)). You must contact your primacy agency during this time. You should coordinate with your local health department as well. **You must also issue a public notice if you are experiencing a waterborne emergency other than a waterborne disease outbreak, such as one caused by flooding or treatment failure. In such cases, you may be able to modify this template to apply to your situation.** Check with your primacy agency for more direction. More information on waterborne disease outbreaks and emergencies is available from the Centers for Disease Control and Prevention (<http://www.cdc.gov/health/diseases.htm>, 1 (800) 311-3435). For a waterborne disease outbreak or other emergency, you must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand deliver, print your notice on letterhead, if available. The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio, TV notice, or posting.

Describing the Outbreak

If known, list any organisms detected, the number of affected people, any water treatment problems contributing to the waterborne disease outbreak, and any sources of contamination, such as flooding.

Potential Health Effects

No mandatory health effects language exists for waterborne disease outbreaks. You may wish to use the sentence below, if appropriate, or contact your primacy agency or health department. These symptoms are common to many diseases caused by microscopic organisms:

- Symptoms may include nausea, cramps, diarrhea, jaundice, and associated headaches and fatigue.

Population at Risk

Some people who contract waterborne diseases can be affected more severely than others, as described on the reverse page. The specific language on the reverse is not mandatory, but you must provide information on the population at risk. In addition, make sure it is clear who is served by your water system—you may need to list the areas you serve.

Corrective Action

In your notice, describe the corrective actions you are taking. Listed below are some steps commonly taken by water systems with waterborne disease outbreaks. Use one or more of the following actions, if appropriate, or develop your own:

- We are repairing our filtration system.
- We are increasing sampling for disease-causing organisms.

Make sure to send a copy of each type of notice and a statement certifying that you've met all public notification requirements to your primacy agency within ten days after issuing the notice (141.31(d)). It is a good idea to issue a "problem corrected" notice when the waterborne disease outbreak is under control. See Template 1-6.

It is recommended that you notify health professionals in the area of the outbreak. People may call their doctors with questions about how the situation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of contamination so they can use bottled water.

DRINKING WATER WARNING

BOIL YOUR WATER BEFORE USING

Disease-causing organisms have entered [system's] water supply.

These organisms are causing illness in people served by [system]. We learned of a waterborne disease outbreak from [agency] on [date].

What should I do?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for one minute, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation until further notice. Boiling kills bacteria and other organisms in the water.
- [Describe symptoms of the waterborne disease.] If you experience one or more of these symptoms and they persist, contact your doctor. People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers.

What happened? What is being done?

[Describe the outbreak, corrective action, and when the outbreak might end.]

We will inform you when you no longer need to boil your water.

For more information, please contact [name of contact] at [phone number] or [mailing address]. General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1(800) 426-4791.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Template on Reverse

If your primacy agency has designated this turbidity single exceedance as a Tier 1 violation (141.202(a)), you must provide public notice to persons served within 24 hours after it has been designated Tier 1 (141.202(b)). Turbidity violations are Tier 2 by default, but may frequently be elevated to Tier 1 by your primacy agency. In addition, violations are automatically elevated if you are unable to consult with your primacy agency within 24 hours. **In such cases, you must issue a notice within the next 24 hours.** You may elevate the violation to Tier 1 yourself as well. You should also coordinate with your local health department. One or both agencies should tell you whether to instruct consumers to boil water. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand deliver, print your notice on letterhead, if you have it.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice or posting. If you modify the notice, you must leave the health effects language in *italics* unchanged. This language is mandatory (141.205(d)).

Population Served

Make sure it is clear who is served by your water system—you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with turbidity single exceedance. Use one or more of the following actions, if appropriate, or develop your own:

- We are adding chemicals that reduce turbidity.
- We are sampling both untreated and treated water for the presence of coliform bacteria.
- We are monitoring chlorine levels and will adjust them as needed to compensate for filtration problems.
- We are inspecting and cleaning the filters.

Source of the Problem

If you know why the turbidity is high, explain it in your notice. For instance, unusual conditions, such as heavy rains and flooding, can overburden the water plant, and treated water may therefore not meet the standards. In addition, run-off from parts of the watershed could contain increased concentrations of sediment and animal waste.

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met public notice requirements to your primacy agency within ten days after you issue the notice (141.31(d)). It is a good idea to issue a "problem corrected" notice when the violation is resolved. See Template 1-6.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of potential microbiological contamination so they can use bottled water.

DRINKING WATER WARNING

[system] has high turbidity levels

BOIL YOUR WATER BEFORE USING

We routinely monitor your water for turbidity (cloudiness). This tells us whether we are effectively filtering the water supply. A water sample taken [date] showed turbidity levels of [number] turbidity units. This is above the standard of [standard] turbidity units. Because of these high levels of turbidity, there is an increased chance that the water may contain disease-causing organisms.

What should I do?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for one minute, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, washing dishes, brushing teeth, and food preparation until further notice.
- *Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites, which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What happened? What is being done?

[Describe reason for the high turbidity, corrective action, and when the system expects to return to compliance.]

We will inform you when turbidity returns to appropriate levels and when you no longer need to boil your water.

For more information, please contact [name of contact] at [phone number] or [mailing address]. General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1(800) 426-4791.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____ Date distributed: _____

Instructions for Chlorine Dioxide MRDL (Tier 1) Notice—Template 1-5

Template on Reverse

Since exceeding the chlorine dioxide MRDL when one or more of the samples taken *in the distribution system* on the day after exceeding the MRDL at the entrance of the distribution system or when *required samples are not taken* in the distribution system is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). (Exceeding the chlorine dioxide MRDL *at the entry point to the distribution system only* is a Tier 2 violation; modify this template or Template 2-3 to create a Tier 2 notice.) You must also contact your primacy agency within 24 hours of learning of the violation or situation. You should also coordinate with your local health department. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served. If you post or hand deliver, print your notice on letterhead, if you have it.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)).

Alternative Sources of Water

If you are selling or providing bottled water, your notice should say where it can be obtained. Remember that bottled water can also be contaminated or be high in chlorine dioxide if the bottler uses municipal water. Make sure the bottled water meets the standard by contacting the bottler and asking for the most recent test results.

Population at Risk

The language on the reverse lists "young children" as one of the groups at increased risk. Because the potential health effects of chlorine dioxide are based on tests on laboratory animals, there is no way to determine at exactly what age the water is safe to drink. If your consumers have questions, encourage them to err on the side of caution.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with chlorine dioxide violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are resetting the generator to generate the correct amount of chlorine dioxide.
- We are repairing the generator.
- We have already fixed the problem but it will take additional time for the extra chlorine dioxide to be flushed from the distribution system (pipes).

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)). You should also issue a follow-up notice in addition to meeting any repeat notice requirements your primacy agency sets.

It is a good idea to issue a "problem corrected" notice when the violation is resolved. See Template 1-6.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

DRINKING WATER WARNING

PREGNANT WOMEN AND YOUNG CHILDREN SHOULD NOT DRINK THE WATER

Sampling results received [date] showed chlorine dioxide levels of [level and units]. This is above the standard, or maximum residual disinfectant level (MRDL) of 0.8 milligrams per liter. Chlorine dioxide is used for disinfection, but too much of it over a short period of time may harm the development of children, infants, and fetuses.

What should I do?

- **DO NOT USE THIS WATER IF YOU ARE PREGNANT OR GIVE IT TO YOUNG CHILDREN.** Bottled water should be used until further notice. *Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant mothers who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.*

The chlorine dioxide violations reported today include exceedances of the EPA standard within the distribution system which delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure. There are no obvious symptoms, but chlorine dioxide can affect development of the nervous system.

- Water, juice, and formula for young children and for pregnant women should not be prepared with tap water.
- Adults who are not pregnant and older children can drink the tap water because their nervous systems are already developed. However, if you have specific health concerns, you may wish to consult your doctor.

What happened? What is being done?

Chlorine dioxide is used in small amounts every day to kill bacteria and other organisms that may be in your drinking water. A problem occurred with our chlorine dioxide generator, and too much chlorine dioxide was released. [Describe corrective action and when you expect to return to compliance.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____ Date distributed: _____

Instructions for Tier 1 "Problem Corrected" Notice—Template 1-6

Template on Reverse

It is a good idea to issue a notice when a serious violation or situation has been resolved. Although EPA regulations do not require such notices, your primacy agency may require you to issue one. You should coordinate with your local health department as well. Below are some recommended methods for a "problem corrected" notice. You should use the same delivery methods you used for the original notice.

- Radio
- Television
- Newspaper
- Hand or direct delivery
- Posting in conspicuous locations

You may wish to use additional methods (e.g., delivery of multiple copies to hospitals, clinics, or apartment buildings) if necessary to reach all persons served. If you post or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is very general and can be used for any violation or situation. However, to help restore consumers' confidence in the water system, you should modify the notice to fit your situation. Although the public should have seen your initial notice, there may be additional information you learned after the notice was issued. Therefore, you should describe the violation or situation again and discuss how the problem was solved.

DRINKING WATER PROBLEM CORRECTED

Customers of [system] were notified on [date] of a problem with our drinking water and were advised to [describe recommended action]. We are pleased to report that the problem has been corrected and that it is no longer necessary to [describe recommended action]. We apologize for any inconvenience and thank you for your patience.

[Add further details here when appropriate.]

As always, you may contact [contact name] at [phone number] or [mailing address] with any comments or questions.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

6. Tier 2 Notice Requirements and Suggestions

Tier 2 notices must meet the content, format, and multilingual requirements described in detail in Chapter 3 and are required for the following violations (141.203(a)):

- Maximum contaminant level (MCL), maximum residual disinfectant level (MRDL), and **treatment technique requirement violations, except where Tier 1 notification is required by regulation or by the primacy agency;**
- **Monitoring or testing procedure violations (if required by the primacy agency); and**
- **Failure to comply with the terms and conditions of a variance or exemption.**

Tier 2 violations are considered less urgent than Tier 1 violations or situations because there is little immediate risk to consumers, or because the system may have already returned to compliance by the time the notice is issued. Primacy agencies may have more stringent requirements.

What is the deadline for issuing a Tier 2 notice?

Tier 2 notices must be issued as soon as practical but within 30 days after a violation is discovered (141.203(b)).

For any unresolved violation, following an initial Tier 2 notice, you must **repeat the notice every three months** for as long as the violation



Required Elements of a Public Notice (141.205(a))

1. A description of the violation;
2. When the violation occurred;
3. Potential adverse health effects, using language in Appendix B or language for monitoring violations;
4. Population(s) at risk;
5. Whether alternative water supplies should be used;
6. Actions consumers should take, including when they should seek medical help, if known;
7. What you are doing to correct the violation;
8. When you expect to return to compliance;
9. Name, business address, and phone number for additional information; and
10. Standard language encouraging distribution to all persons served, where applicable.

6. Tier 2 Notice Requirements and Suggestions

persists. You are not in compliance again until your primacy agency determines you are. Posted notices must remain posted for as long as the violation persists. If the violation is already resolved when you post the notice, you must post the notice for at least one week (141.203(b)). You must also **notify new billing customers or units** of any ongoing violations for which you have previously provided notice prior to or at the time their service begins (141.206).

Remember to send a **copy of the notice and a certification statement** to your primacy agency within ten days after providing the initial and any repeat notice to the public (141.31(d)).

When might a Tier 2 violation be elevated to Tier 1?

Every violation is unique, and primacy agencies will consider several factors in deciding whether a violation should be elevated. For example, cases where a turbidity exceedance is significantly higher than the limit or exceeds the limit over the course of multiple measurements are more likely to be elevated to Tier 1.

Primacy agencies may also review the amount of disinfection that occurs after filtration and the current and historical quality of your source water. The determination may also depend on the type of filtration in place (if any) and your system's turbidity limits.

The primacy agency may also elevate Tier 2 violations to Tier 1 based on the results of consultations required under other rules, such as the Total Coliform Rule and Surface Water Treatment Rule. (These rules require you to report coliform MCLs and treatment technique violations to your primacy agency as soon as possible but no later than the end of the next business day. These reporting requirements are separate from those in the public notification rule and are intended to allow primacy agencies to oversee corrective actions, but states may also use these opportunities to elevate Tier 2 violations to Tier 1.) For coliform violations, if the percentage of samples testing positive for coliform is significantly higher than the MCL, if coliform is

24-Hour Consultation for Turbidity

Systems with certain violations involving **exceedance of turbidity limits must consult** with their primacy agencies as soon as practical but no later than 24 hours after learning of the violation (141.203(b)). This requirement applies to: (1) treatment technique violations resulting from single exceedances of turbidity limits (5 NTU) under the Surface Water Treatment Rule (SWTR), (2) treatment technique violations resulting from single exceedances of turbidity limits (1 NTU) under the Interim Enhanced SWTR, and (3) turbidity MCL violations determined by the average of turbidity measurements over two consecutive days (5 NTU). It does **not** apply to violations of monthly turbidity requirements. As a result of this consultation, primacy agencies may decide to elevate such violations to Tier 1. If consultation does not occur, the violation automatically is elevated to Tier 1. You have 24 hours from the time the violation is elevated to issue the notice.

6. Tier 2 Notice Requirements and Suggestions

present in multiple areas of the distribution system, or if coliforms are linked to a break in distribution system integrity, primacy agencies will be more likely to require Tier 1 notice.

Remember, as the system operator, you are a guardian of the quality of your water supply and of public health. If you believe that a violation or situation warrants 24-hour notice, you can issue a notice at any time, i.e., elevate the violation to Tier 1 yourself. You do not have to wait for the primacy agency to make a determination. Depending on the severity of the violation or situation, you may also choose to issue a Tier 2 notice in much less than 30 days.

Which methods of delivery must I use?

Unless directed otherwise by the primacy agency, if you operate a **community water system**, you must provide notice by (141.203(c)):

1. Mail or other direct delivery to each customer receiving a bill and other service connections to which water is delivered, and
2. Any other method reasonably calculated to reach others regularly served, if they would not normally be reached by the method above. Such people include those who do not pay water bills or do not have service connection addresses, (e.g., tenants, college students, nursing home patients, prison inmates). Methods may include publication in a local newspaper, posting in public places, delivery of multiple copies to landlords or office building managers, or delivery to community organizations.

Unless directed otherwise by the primacy agency, if you operate a **non-community water system**, you must provide notice by the following methods (141.203(c); see Chapter 8 for more information):

1. Posting the notice in conspicuous locations throughout the system or by direct delivery or mail to each customer and known service connection, and
2. Any other method reasonably calculated to reach others served, if they would not normally be reached by the method above. Such people may include those who may not see a posted notice because it is not in a location they routinely pass by. Methods may include publication in a local newspaper or newsletter distributed to consumers, use of e-mail to notify employees or students, or delivery of multiple copies in central locations (e.g., community centers).

For **both system types**, there may be a few cases where you would be able to reach all persons served with the first method you choose. In such cases, you may not need to use additional methods. At a gas station, for instance, posting would be sufficient to reach all persons served. Consult your primacy agency if there are other delivery methods you believe would be more effective in your situation; they may allow alternate methods of delivery.

6. Tier 2 Notice Requirements and Suggestions

Suggestions for Effective Public Notification Delivery

- If you **mail** the notice, send it to all service connections, if possible, and not just billing customers, since there may be many people in addition to your billing customers who drink your water. Billing customers can be reached via inserts in their water bills, if the bills are distributed and received within 30 days of the violation. Be sure to tell owners or managers of businesses, home-owners' associations, apartment buildings, or resort rental properties to pass the information along to their employees or tenants. You may wish to send multiple copies of the notice to building managers. See the discussion of standard language to encourage distribution to all persons served on page 11.
- If you **post** a notice, be sure it is **durable**. It should not blow away if posted outdoors. Consider laminating notices that will be placed over sinks or outside, especially if they are likely to remain there for an extended time.
- Notices in **newspapers** may be in the form of an article or a paid advertisement. However, articles are more effective than paid notices because they are more likely to be noticed and read. Work with the local newspaper to write an article on the violation and what the system is doing to correct it. Be sure that anyone at the paper who writes or edits an article knows what items must be included to meet the requirements for public notification. If your system is located in the suburban area of a large city, you should request that your notice be placed in the weekly community news section. Also, focus on getting articles published in smaller **community newspapers, homeowners' association newsletters, or similar publications.**
- **Paid advertisements** offer an advantage because you are guaranteed the notice will appear exactly as you write it. Try to purchase ad space in the front section of the paper. Legal notices tend to get lost in the back of the paper where few people read them. If your notice must appear with



Tips for Very Small Community Systems

- Compare the costs of mailing and labor for hand delivery before choosing a method.
- Hand delivery may not be necessary to meet your deadline, but it may be cheaper or less time-consuming than putting together a mailing.
- Alternatively, if your notice deadline coincides with your billing schedule, you may be able to include your notice in the bill at no extra cost.
- Supplement with posting in common areas and gathering places, such as banks, grocery stores, and restaurants.
- Ask your local newspaper to write a story on the violation (let the reporter know which elements must be included). Or, purchase an ad to publish the notice.

6. Tier 2 Notice Requirements and Suggestions

other paid notices, a descriptive title becomes very important. The header “notice” may be overlooked, but the mention of the community’s drinking water supply gets people’s attention.

Suggestions for Layout of the Notice

Tier 2 notices should answer the most common questions people will have about the violation: What does this mean to me? What should I do? What is the water system doing? The tone of a Tier 2 notice is less urgent than that of a Tier 1 notice. A question and answer format that anticipates consumers’ concerns is recommended for each section. Templates 2-1 through 2-8 at the end of this chapter offer sample language and instructions for preparing Tier 2 public notices.

1. Title – The notice should have a descriptive title but should not be overly alarming. The title “Drinking Water Notice” or “Important Information about Your Drinking Water” would be more appropriate than “Drinking Water Alert.” Follow with a subtitle describing the situation, such as: “Tests Show Levels of [Contaminant] Above Drinking Water Standards.”
2. Describe What Happened – The notice should briefly describe what happened and give some background as to how the violation was discovered. For example, suppose you routinely test the water and that the most recent samples showed a violation. Provide a context for the exceedance by giving the applicable drinking water standard and whether the exceedance is a monthly, quarterly, or other type of average. If the problem has already been corrected, be sure to communicate this clearly. If this is a repeat notice, explain why the violation continues (e.g., you are in the process of installing new treatment). If the violation is intermittent, explain that the water is in and out of compliance with standards, or (if appropriate) that the contamination levels are only slightly above allowable standards.

The message should also vary depending on the contaminant. For instance, several inorganic and radioactive chemicals, such as arsenic and radium, are naturally occurring. This fact can help in explaining the options for treatment. For example, it may be difficult to drill a new well if high contaminant levels occur throughout an aquifer. Disinfection byproducts, on the other hand, form when naturally occurring organic matter combines with disinfectants added to kill microorganisms. You should explain that the risk of disease from drinking water that is not disinfected is more immediate than that of getting cancer from drinking water containing disinfection byproducts. For turbidity exceedances, discuss the possible causes of high turbidity. A frequent cause is heavy rain, which washes large amounts of soil into rivers and lakes. The rain may also wash animal wastes into the water supply.

6. Tier 2 Notice Requirements and Suggestions

3. **Explain What Consumers Should Do** – Next, the notice should tell customers what they need to do, even if no action is necessary. This will usually be: “You do/do not need to seek other sources of drinking water.” Since people’s first reaction may be to boil their water, explain the effect of boiling (i.e., whether boiling is necessary, has no effect, or is harmful). Tell consumers that if they have specific health concerns, especially for the young, old, or people with compromised immune systems (undergoing chemotherapy, HIV-positive, or other immune system problems), they may wish to consult their doctors.
4. **Explain How the Violation Affects Consumers** – Be clear that the situation is not an emergency and that consumers would have been notified immediately if it had been. Consumers may wonder why they are getting a notice, especially if the problem is resolved or not serious; it may help to explain that you are informing them because they have the right to know about problems with their water even if there is no immediate (or any) health threat. In the case of filtration treatment technique violations, explain that treatment is important to preventing disease outbreaks but that there is no evidence of disease or bacteria in the water. For turbidity exceedances, explain how high turbidity levels may be related to the presence of organisms in drinking water.
5. **Describe What You Are Doing to Correct the Problem** – Inform consumers of the steps you are taking to correct the problem, such as the installation of new treatment, increased frequency or type of monitoring, or your collaboration with the appropriate state agency. Tell them when you expect the drinking water to again meet the standard. Although you probably will be unable to give an exact date, you can give your customers a general idea of how long it will take (e.g., a few days for a coliform MCL, several months for a chemical MCL). Provide the name, address, and telephone number of someone who can answer any questions consumers may have.
6. **Optional Elements** — If you know the source of the contamination, include it in the notice. This helps reassure consumers that you have investigated the problem and are taking steps to address it. It also reinforces the fact that drinking water is a vulnerable resource that must be protected. If you do not know the actual source, you should at least provide common or possible sources such as those listed in the guidance for the Consumer Confidence Report.
7. **Public Water System ID Number/Date of Distribution**— You should include your PWS ID number at the bottom of the notice. This will help your primacy agency track compliance and prevent tracking errors between systems with similar names. Include the date you distributed the notice.

TIER 2 TEMPLATES

The pages that follow contain templates for Tier 2 violations, as listed below. Along with each template are instructions, including the required method of delivery and instructions for completing individual sections of the notice. These instructions are designed to supplement Chapter 6, so you may see much of the information repeated here.

Mandatory language on health effects, which must be included exactly as written, is presented in *italics* (141.205(d)).

You must also include the following italicized language in all notices, where applicable (141.205(d)). Use of this language does *not* relieve you of your obligation to take steps reasonably calculated to notify all persons served:

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Templates

Unresolved Total Coliform Notice—Template 2-1

Resolved Total Coliform Notice—Template 2-2

Chemical or Radiological MCLs Notice—Template 2-3

Fluoride MCL—Template 2-4

SWTR Failure to Filter Notice—Template 2-5

SWTR Turbidity Exceedance Notice—Template 2-6

SWTR Disinfection Treatment Notices—Template 2-7

LCR Failure to Install Corrosion Control—Template 2-8

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Instructions for Unresolved Total Coliform Notice—Template 2-1

Template on Reverse

Since exceeding the total coliform bacteria maximum contaminant level is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). Persistent total coliform problems can be serious. Some states have more stringent requirements for coliform violations. Check with your primacy agency to make sure you meet all requirements. You must issue a repeat notice every three months for as long as the violation persists.

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. A template appropriate for posting can be found in Chapter 8. If you modify the notice, you must still include all the required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)).

Description of the Violation

The description of the violation and the MCL vary depending on the number of samples you take. The following table should help you complete the second paragraph of the template.

<u>If You Take Less Than 40 Samples a Month</u>	<u>If You Take More Than 40 Samples a Month</u>
State the number of samples testing positive for coliform. The standard is that no more than one sample per month may be positive.	State the percentage of samples testing positive for coliform. The standard is that no more than five percent of samples may test positive each month.

Corrective Action

In your notice, describe corrective actions you are taking. If you know what is causing the coliform problem, explain this in the notice. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are chlorinating and flushing the water system.
- We are increasing sampling for coliform bacteria.
- We are investigating the source of contamination.
- We are repairing the wellhead seal.
- We are repairing the storage tank.
- We will inform you when additional samples show no coliform bacteria.

Make sure to send a copy of each type of notice and a certification that you have met all the public notice requirements to your primacy agency within ten days after issuing the notice (141.31(d)). It is a good idea to inform your consumers when the violation has been resolved. See Template 1-6 for a "problem corrected" notice template.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Tests Show Coliform Bacteria in [System] Water

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. We took [number] samples for coliform bacteria during [month]. [Number/percentage] of those samples showed the presence of coliform bacteria. The standard is that no more than [1 sample per month/5 percent of our samples] may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.** However, if you have specific health concerns, consult your doctor.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

What does this mean?

This is not an emergency. If it had been you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.** If we had, we would have notified you immediately. However, we are still finding coliforms in the drinking water.

What happened? What is being done?

[Describe corrective action.]

We are still detecting coliform bacteria. We will inform you when our sampling shows that no bacteria are present. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system].

State Water System ID#: _____ Date distributed: _____

Instructions for Resolved Total Coliform Notice--Template 2-2

Template on Reverse

Since exceeding the total coliform bacteria maximum contaminant level is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). Some states have more stringent requirements for coliform violations. Check with your primacy agency to make sure you meet all its requirements.

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)).

Description of the Violation

Make sure that the notice is clear about the fact that the coliform problem has been resolved, and there is no current cause for concern. The description of the violation and the MCL vary depending on the number of samples you take. The following table should help you complete the second paragraph of the template.

<u>If You Take Less Than 40 Samples a Month</u>	<u>If You Take More Than 40 Samples a Month</u>
State the number of samples testing positive for coliform. The standard is that no more than one sample per month may be positive.	State the percentage of samples testing positive for coliform. The standard is that no more than five percent of samples may test positive each month.

Corrective Action

In your notice, describe corrective actions you have taken. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- We have increased sampling for coliform bacteria to catch the problem early if it recurs.
- The well and/or distribution system has been disinfected and additional samples do not show presence of coliform bacteria.

After Issuing the Notice

Make sure to send a copy of each type of notice along with a certification that you have met all the public notice requirements to your primacy agency within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Tests Showed Coliform Bacteria in [System] Water

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took [number] samples to test for the presence of coliform bacteria during [month]. [Number/percentage] of our samples showed the presence of total coliform bacteria. The standard is that no more than [1 sample per month/5 percent of samples] may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.** However, if you have specific health concerns, consult your doctor.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

What does this mean?

This is not an emergency. If it had been, you would have been notified immediately. Coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**

What happened? What was done?

[Describe corrective action.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Instructions for Chemical or Radiological MCLs Notice—Template 2-3

Template on Reverse

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). You must issue a repeat notice every three months for as long as the violation persists. Your primacy agency may have more stringent requirements for MCL violations; e.g., it may require you to provide water from an alternate source. Check with your agency to make sure you meet all requirements. **Use Template 2-4 for fluoride MCL violations.**

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and you may not modify the mandatory health effects language (141.205(d)).

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove [contaminant] or connecting to [system]'s water supply.
- We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well.
- We will increase the frequency at which we test the water for [contaminant].
- We have since taken samples at this location and had them tested. They show that we meet the standards.

Repeat Notices

If this is an ongoing violation and/or you fluctuate above and below the MCL, you should give the history behind the violation, including the source of contamination, if known. List the date of the initial detection, as well as how levels have changed over time. If levels are changing as a result of treatment, you can indicate this.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all public notification requirements within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[System] Has Levels of [Contaminant] Above Drinking Water Standards

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results we received on [date] show that our system exceeds the standard, or maximum contaminant level (MCL), for [contaminant]. The standard for [contaminant] is [MCL]. The average level of [contaminant] over the last year was [level]. or [Contaminant] was found at [level].

What should I do?

- **You do not need to use an alternative (e.g., bottled) water supply.** However, if you have specific health concerns, consult your doctor.

What does this mean?

This is not an immediate risk. If it had been, you would have been notified immediately. However, [Insert relevant health effects language from Appendix B.]

What happened? What is being done?

[Describe corrective action.] We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Instructions for Fluoride MCL Notice—Template 2-4

Template on Reverse

Since exceeding the fluoride maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). You must issue a repeat notice every three months for as long as the violation persists. **If you exceed the secondary maximum contaminant level of 2 milligrams per liter but not the MCL of 4 milligrams per liter, you must issue a special notice with different health effects language. See page 11 or Template 3-2 for more information.**

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and you may not modify the mandatory health effects language (141.205(d)).

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with fluoride violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove fluoride or connecting to [system]'s water supply.
- We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well.
- We will increase the frequency at which we test the water for fluoride.
- We have since taken samples at this location and had them tested. They show that we meet the standards.

Repeat Notices

If this is an ongoing violation and/or you fluctuate above and below the MCL, it is a good idea to give the history behind the violation. You should list the date of the initial detection, as well as how levels have changed over time. If levels are changing as a result of treatment you should indicate that fact.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all public notification requirements within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[System] Has Levels of Fluoride Above Drinking Water Standards

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results we received on [date] show that our system exceeds the standard, or maximum contaminant level (MCL), for fluoride. The average level of fluoride in samples taken during the last year was [level and units]. The standard for fluoride is that the average of samples taken over the last year may not exceed [MCL].

What should I do?

- **Children under the age of nine should use an alternative source of water that is low in fluoride.** In addition, you may want to consult your dentist about whether to avoid dental products containing fluoride. Adults and children over age nine should consult their dentist or doctor and show him/her this notice to determine if an alternate source of water low in fluoride should be used.

What does this mean?

This is not an emergency. If it had been, you would have been notified immediately. Fluoride in small amounts helps prevent tooth decay. However, *some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or greater may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums.* Although it takes many years of exposure to fluoride for bone disease to develop, mottling can occur after a relatively short period of exposure.

What happened? What is being done?

Fluoride contamination is rarely due to human activity. Fluoride occurs naturally in some areas and is found in high concentrations in our source water. [Describe corrective action.] We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system].

State Water System ID#: _____. Date distributed: _____

Instructions for SWTR Failure to Filter Notice--Template 2-5

Template on Reverse

Since surface water treatment technique violations are included in Tier 2, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). You must issue a repeat notice every three months for as long as the violation persists.

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects language in *italics* unchanged. This language is mandatory (141.205(d)).

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with surface water treatment technique violations. Use one or more of the following actions, if appropriate, or develop your own:

- Our filtration system needs upgrades to meet the requirements.
- We are installing filtration. We expect that the filtration system will be operational by [month, year].
- We are monitoring for turbidity (cloudiness), disinfectant levels, and the presence of bacteria. We continue to meet the standards for these measurements.

Repeat Notices

For repeat notices, you should state how long the violation has been ongoing and remind consumers of when you sent out the previous notice. If you are making progress in installing filtration, describe it. Alternatively, if funding or other issues are delaying installation, let consumers know.

After Issuing the Violation

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met the public notice requirements within ten days after you issued the notice (141.31(d)).

U.S. EPA Headquarters Library
Mail code 3201
1200 Pennsylvania Avenue NW
Washington DC 20460

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[System] Does Not Meet Treatment Requirements

Our water system recently violated a drinking water standard. Although this situation does not require that you take immediate action, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

On [date], the [primacy agency] ordered us to filter the water in addition to disinfecting. We are required to install this filtration because we do not have an adequate watershed control program in place. However, we have not yet installed a filtration system.

What should I do?

- You do not need to boil your water. However, if you have specific health concerns, consult your doctor. A home filter will not necessarily solve the problem, because not all home filters protect against parasites. Call NSF International at 1(800) NSF-8010 or the Water Quality Association at 1(800) 749-0234 for information on appropriate filters.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

What does this mean?

This is not a situation requiring that you take immediate action. If it had been you would have been notified immediately. We do not know of any cases of contamination. However, until improvements are made, there is an increased chance that disease-causing organisms could contaminate the water supply.

Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms, however, are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What happened? What is being done?

Filtration is the best method for removing these organisms. [Describe corrective action.]

We anticipate resolving the problem within [estimated time frame]. Until filtration is installed, you will receive a notice similar to this every three months. For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Instructions for SWTR Turbidity Exceedance Notice--Template 2-6

Template on Reverse

Since surface water treatment filtration treatment technique violations are included in Tier 2, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). This template may also be adapted for use with turbidity MCL violations.

<u>For Exceedances of Single Turbidity Limits</u>	<u>For Exceedances of Monthly Turbidity Limits</u>
<p>You must consult with your primacy agency as soon as practical but within 24 hours of learning of the violation. During the consultation, the agency may choose to elevate your turbidity exceedance to Tier 1. If consultation does not occur, the violation is automatically elevated to Tier 1 (use Template 1-5). For a Tier 2 notice, describe your violation as follows in the second paragraph of the notice:</p> <p>"Normal turbidity levels at our plant are [number] turbidity units. A water sample taken [date] showed levels of [number] turbidity units. This was above the standard of [standard] units. Because of these high levels of turbidity, there is an increased chance that the water may contain disease-causing organisms."</p>	<p>Use the following language to describe your violation and insert into the second paragraph of the template:</p> <p>"Water samples for [month] showed that [percentage] percent of turbidity measurements were over [standard] turbidity units – the standard is that no more than 5 percent of samples may exceed [standard] turbidity units per month. The turbidity levels are relatively low. However, their persistence is a concern. Normal turbidity levels at our plant are [number] units."</p>

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)).

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with filtration treatment technique violations. Use one or more of the following actions, if appropriate, or develop your own:

- We added chemicals that reduce turbidity.
- We sampled both untreated and treated water for the presence of coliform bacteria.
- We monitored chlorine levels and adjusted them as needed to compensate for the filtration problems.
- We inspected and cleaned the filters.

Make sure to send a copy of each type of notice and a certification that you have met all public notice requirements to your primacy agency within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[System] Did Not Meet Treatment Requirements

Our water system recently violated a drinking water standard. Although this was not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct this situation.

We routinely monitor your water for turbidity (cloudiness). This tells us whether we are effectively filtering the water supply. [Insert appropriate description of the violation from instructions.]

What should I do?

- **You do not need to boil your water or take other actions.** We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

What does this mean?

Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What happened? What was done?

A problem occurred with the treatment system at the water plant. [Describe the reason for high turbidity, corrective actions, and when the system returned or expects to return to compliance.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Instructions for SWTR Disinfection Treatment Notices--Template 2-7

Template on Reverse

Since surface water treatment disinfection treatment technique violations are included in Tier 2, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). Some disinfection problems may be serious. Your primacy agency may have more stringent requirements. Check with your agency to be sure.

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available. If you modify the notice, you must leave the mandatory health effects language in italics unchanged (141.205(d)).

Description of the Violation

Choose from the following descriptions of violations, and modify to fit your situation.

Contact Time - In order to ensure proper disinfection, water in the treatment plant must be in contact with chlorine or a similar disinfectant for a minimum amount of time. On [date], this did not occur.

Although chlorine quickly kills most bacteria, it is less effective against organisms such as viruses and parasites. For this reason, water needs to mix with chlorine for a longer time period to kill such organisms. The amount of time necessary, or the "contact time," depends on the amount of disinfectant in the water and the temperature of the water.

Disinfectant Residual - We routinely monitor for disinfectant residual in the distribution system. This measurement tells us whether we are effectively disinfecting the water supply. Disinfectant residual is the amount of chlorine or related disinfectant present in the pipes of the distribution system. If the amount of disinfectant is too low, organisms could grow in the pipes.

Monthly exceedance - During the months of _____, disinfectant residual was undetectable in more than 5% of samples. The standard is that disinfectant may be undetectable in no more than 5% of samples each month for two months in a row.

Single exceedance - On [date], disinfectant levels dropped below 0.2 milligrams per liter for ____ hours. The standard is that levels may not drop below 0.2 for more than four hours.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with disinfection treatment technique violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are sampling/we sampled both untreated and treated water for the presence of coliform bacteria.
- We are sampling/we sampled disinfectant levels and will adjust/adjusted the amount of disinfectant added as necessary to maintain adequate levels.

Make sure to send a copy of each type of notice and a certification that you have met all the public notice requirements to your primacy agency within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[System] Does/Did Not Meet Treatment Requirements

Our water system recently violated a drinking water standard. Although this situation does not require that you take immediate action, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

[Describe the violation - use descriptions from instructions on reverse.]

What should I do?

- **You do not need to boil your water or take other corrective actions.** However, if you have specific health concerns, consult your doctor.
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

What does this mean?

This situation does not require that you take immediate action. If it had been, you would have been notified immediately. Tests taken during this same time period did not indicate the presence of bacteria in the water.

Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

These symptoms, however, are not caused only by organisms in drinking water, but also by other factors. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What happened? What is being done?

[Describe why the violation occurred and corrective action.]

[Disinfectant residual levels/contact times] so far this month have met all requirements.

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

Instructions for LCR Failure to Install Corrosion Control--Template 2-8

Template on Reverse

Since lead and copper treatment technique violations are included in Tier 2, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). You must issue a repeat notice every three months for as long as the violation persists.

Community systems must use one of the following methods (141.203(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for hand delivery or mail. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)).

Explaining the Violation

If the delay in installation is related to outside circumstances, such as funding, you should explain these. Consumers may be more supportive of rate increases or may pressure local authorities to provide funds if they understand the circumstances.

This template is written for systems which are required to install corrosion control after exceeding lead action levels. The Lead and Copper Rule requires some large systems to install corrosion control even if they have never exceeded the lead action level. You may need to modify the template if this applies to you. The following may help you explain the violation:

- This is a treatment violation, but it does not mean there is lead in your drinking water. However, it is important that we take measures to control lead levels in the water, because ingesting lead can cause serious health consequences.

Corrective Action

In your notice, describe corrective actions you are taking. Use the following language, if appropriate, or develop your own:

- We conducted a lead public education program in [month, year]. You should have received a brochure explaining in more detail steps you can take to reduce exposure until corrosion control is in place.

If consumers ask for information on testing their water, you should have on hand the names of laboratories consumers can call. Tell consumers to call NSF International at 1(800) NSF-8010 or the Water Quality Association at 1(800) 749-0234 for information on appropriate filters. For more information on lead, have consumers call the EPA Safe Drinking Water Hotline at 1(800) 426-4791 or the National Lead Information Center Hotline 1(800) LEAD-FYI.

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

[System] Water Contains High Levels of Lead

Our water system recently violated a drinking water standard. Even though this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely sample water at consumers' taps for lead. The tests show lead levels in the water above the limit, or "action level," so we are required to install corrosion control treatment. This treatment helps prevent lead in the pipes from dissolving into the water. Corrosion control should have been installed by [date], but installation is incomplete.

What should I do?

Listed below are some steps you can take to reduce your exposure to lead:

- Call us at the number below to find out how to get your water tested for lead.
- Find out whether your pipes contain lead or lead solder.
- Run your water for 15-30 seconds or until it becomes cold before using it for drinking or cooking. This flushes any standing lead from the pipes.
- Don't cook with or drink water from the hot water tap; lead dissolves more easily into hot water.
- **Do not boil your water to remove lead.** Excessive boiling water makes the lead more concentrated – the lead remains when the water evaporates.

What does this mean?

Typically, lead enters water supplies by leaching from lead or brass pipes and plumbing components. New lead pipes and plumbing components containing lead are no longer allowed for this reason; however, many older homes may contain lead pipes. Your water is more likely to contain high lead levels if water pipes in or leading to your home are made of lead or contain lead solder.

Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

What happened? What is being done?

[Describe corrective action.]

This is not an emergency. If it had been, you would have been notified immediately. Corrosion control will be in place by [date].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

7. Tier 3 Notice Requirements and Suggestions

Tier 3 notices must meet the content (including mandatory language), format, and multilingual requirements described in Chapter 3, and are required for the following violations (141.204(a)):

- **Monitoring violations (except for the following:** failure to monitor for fecal coliform or *E. coli* when repeat samples are positive for coliform, failure to take a confirmation sample for nitrate or nitrite within 24 hours, and failure to take required samples for chlorine dioxide in the distribution system, which require Tier 1 notice; and any monitoring violations elevated to Tier 1 or 2 by the primacy agency);
- **Testing procedure violations**, except where elevated to Tier 2 by the primacy agency;
- **Operation under a variance or exemption;**
- **Special notice for availability of unregulated contaminant monitoring data;** and
- **Special notice for fluoride secondary maximum contaminant level (SMCL) exceedances.**

Remember that notices for variances or exemptions, fluoride SMCL exceedances, and availability of unregulated contaminant monitoring data have different content requirements than notices for violations. (See Chapter 3.)

What is the deadline for issuing a Tier 3 notice?

You must issue a public notice for a Tier 3 violation or situation within 12 months of learning of the violation or situation (141.204(b)). Keep in mind that your primacy agency may require earlier notice for some monitoring violations, especially if it believes such violations could affect public health.

Remember to **send a copy of the notice and a certification statement** to your primacy agency within ten days after providing an initial or repeat notice to the public (141.31(d)).

Following the initial notice, you must **repeat the notice annually** for as long as the violation or situation persists (141.204(b)). You are not in compliance again until your primacy agency determines so. You must also **notify new billing customers or units**, prior to or at the time their service begins, of any ongoing violations or situations for which you have previously provided notice (141.206).

7. Tier 3 Notice Requirements and Suggestions

Which methods of delivery must I use?

Unless directed otherwise by the primacy agency, if you operate a **community water system**, you must provide notice by (141.204(c)):

1. Mail or other direct delivery to each customer receiving a bill and other service connections to which water is delivered, and
2. Any other method reasonably calculated to reach others regularly served, if they would not normally be reached by the method above. Such people include those who do not pay water bills or do not have service connection

addresses, (e.g., tenants, college students, nursing home patients, prison inmates). Methods may include publication in a local newspaper, posting in public places, delivery of multiple copies to landlords or office building managers, or delivery to community organizations.

Unless directed otherwise by the primacy agency, if you operate a **non-community water system**, you must provide notice by the following methods (141.204(c); see Chapter 8 for more information):


1. Posting the notice in conspicuous locations throughout the system or by direct delivery or mail to each customer and known service connection, and

2. Any other method reasonably calculated to reach others served, if they would not normally be reached by the method above. Such people may include those who may not see a posted notice because it is not in a location they routinely pass by. Methods may include publication in a local newspaper or newsletter distributed to consumers, use of e-mail to notify employees or students, or delivery of multiple copies in central locations (e.g., community centers).

If you post a notice, it must remain posted for as long as the violation or situation persists. If the violation or situation is already resolved by the time you write the notice, you must post the notice for at least one week (141.204(b)).

Be sure that the notice is durable. It should not blow away if posted outdoors. Consider laminating notices that will be placed over sinks or outside, especially if they are likely to remain there for an extended time.

For **both system types**, there may be a few cases where you were able to reach all persons served with the first method you choose. In such cases, you



Required Elements of a Public Notice (141.205(a))

1. A description of the violation;
2. When the violation occurred;
3. Potential adverse health effects; using mandatory language for monitoring violations on p. 11;
4. Population(s) at risk;
5. Whether alternative water supplies should be used;
6. Actions consumers should take, including when they should seek medical help, if known;
7. What you are doing to correct the violation;
8. When you expect to return to compliance;
9. Name, business address, and phone number for additional information, and
10. Standard language encouraging distribution to all persons served, where applicable.

7. Tier 3 Notice Requirements and Suggestions

may not need to use additional methods. In a community water system, such as a small town, a second method would be necessary to reach non-resident employees or restaurant customers. At a gas station, on the other hand, posting would be sufficient to reach all persons served.

Suggestions for Effective Public Notification Delivery

- If you **mail** the notice, send it to all service connections, if possible, and not just billing customers, since there are many people in addition to your billing customers who drink your water. Billing customers can be reached via inserts in their water bills.
- Community water systems whose consumers do not have service connections, such as nursing homes or prisons, should be sure to notify all those drinking the water.
- Notices in **newspapers** may be in the form of an article or a paid advertisement. Also, try to get articles published in smaller **community newspapers, homeowners' association newsletters**, or similar publications. **Paid advertisements** offer an advantage because you are guaranteed the notice will appear exactly as you write it. Try to purchase ad space in the front section of the paper. Legal notices tend to get lost in the back of the paper where few people read them.

May I combine notices for multiple Tier 3 violations or situations?

If you have multiple monitoring or testing procedure violations or other situations within a 12-month period, you should strongly consider combining notification for them into a single **annual Tier 3 notice** (141.204(d)). An annual notice can help you save preparation, delivery, and printing costs. You can issue such a notice at any time, as long as the earliest violation included occurred less than 12 months before the notice is provided to consumers. For

example, if your water system violates the monitoring requirement for VOCs on March 31 and also violates the monitoring requirements for the Total Coliform Rule in January, August, and December, you may issue a single notice on January 1 of the subsequent year listing all the violations since the previous January 1.



Tips for Very Small Community Systems

- Consider combining notices for Tier 3 violations and situations into one annual notice.
- Compare mailing and labor costs before selecting a delivery method. Hand delivery may be cheaper and faster than preparing a mailing. However, you may be able to include your notice with the bill at no extra cost.
- Supplement your chosen delivery method by posting in banks, grocery stores, town halls, and restaurants, or by publishing in a newspaper.

If you are a community water system, you may also wish to **consider using the Consumer Confidence Report (CCR)** for Tier 3 notices. Unlike a separate annual notice, however, using the CCR to meet the public notification obligation requires that you tailor the release of your CCR to meet the unique PN requirements. Using the CCR may reduce some production costs and may reduce redundancy since the violations and situations requiring public notice must also eventually be included in the CCR.

7. Tier 3 Notice Requirements and Suggestions

Including your Tier 3 public notice as part of the CCR could also provide the context that more accurately describes what has happened. Before you decide, however, remember that the **timing and delivery requirements for CCRs differ from those for PNs**. If you use the CCR for public notification, be *very careful* to adhere to the PN requirement that public notice for Tier 3 violations be completed no later than 12 months from the date the violation occurred. In addition, if you use the CCR, it must be provided to persons served that are not necessarily only the billing customers who would receive the CCR.

An example illustrates the coordination challenge that water systems will face in using the CCR as the vehicle for the annual Tier 3 notice. CCRs must be published by July 1 of every year and must include information from the previous calendar year, according to the CCR regulation. A CCR published in July 2000 must include violations or situations that occurred between January 1, 1999 and December 31, 1999. Under this schedule, public notice for Tier 3 violations or situations that occurred between January and June 1999 could not be included in the July 2000 CCR since the CCR would reach consumers more than a year after they occurred. Any violations or situations that occur more than one year before the CCR is published must be reported in a separate PN notice. To minimize the timing conflict, you can:

- Publish the CCR early—as soon after the end of the calendar year as possible, or
- Mail a separate public notice for the violations occurring in January through June of the *current* year in the same envelope as your CCR covering the *previous* calendar year's violations.

Suggestions for the Layout of the Notice

The format of a Tier 3 notice depends on your circumstances and on the number of violations or situations you are reporting. If you have multiple monitoring violations, it may be simpler and shorter to list them in a table. The table could include columns for the required sampling frequency, the number of samples taken, when the samples should have been taken, and when the samples were or will be taken. However, not all monitoring violations are the same. A coliform monitoring violation in which one of 100 samples was missed is less serious than missing one of two required samples. You may feel it is more appropriate to describe each violation in a paragraph. Template 3-1 at the end of this chapter offers sample language and instructions for preparing public notices for monitoring violations.

In a notice for monitoring violations, it is important to tell consumers the implications of the violation. They may wonder why they weren't told earlier, whether there is any health risk, and why the samples were not taken. You should respond to their concerns. A statement clarifying that no emergency

7. Tier 3 Notice Requirements and Suggestions

exists, that the notice is for informational purposes, and that subsequent monitoring showed no problems will help reassure consumers.

A notice for a fluoride SMCL exceedance need only contain the mandatory language found on page 11 with the blanks filled in appropriately (141.208). You should also include the language that encourages distribution. Notices must be provided as soon as practical but no later than 12 months after you learn of the exceedance. Due to the staining effect of fluoride at levels above the SMCL on the teeth of children under nine, consider issuing these notices quickly to prevent damage to their teeth.

A notice of the availability of unregulated contaminant data need only state that the monitoring results are available and provide a phone number to call to obtain them (141.207). You may use an annual notice or insert this notice into your CCR, provided public notification timing and delivery requirements can be met. You do not need to include the results themselves, unless you are a community water system using the CCR to provide the notice. CCR regulations require systems to include data on all detected contaminants.

You should include your PWS ID number at the bottom of any notice. This will help your primacy agency track compliance and prevent tracking errors between systems with similar names. Also include the date on which you distributed the notice.

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TIER 3 TEMPLATES

The pages that follow contain templates for Tier 3 violations and situations. Along with the templates are instructions, including the required method of delivery and instructions for completing individual sections of the notices. These instructions are designed to supplement Chapter 7, so you may see much of the information repeated here.

Mandatory language on unknown risk for monitoring violations, which must be included exactly as written, is presented in *italics* (141.205(d)). All the language in the fluoride SMCL template (except the language discussed below) is mandatory (141.208).

You must also include the following italicized language in all notices, where applicable (141.205(d)). Use of this language does *not* relieve you of your obligation to take steps reasonably calculated to notify all persons served:

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Templates

Monitoring Violations Annual Notice—Template 3-1
Fluoride SMCL Notice—Template 3-2

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Instructions for Monitoring Violations Annual Notice--Template 3-1

Template on Reverse

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation (141.204(b)). Multiple monitoring violations can be serious, and your primacy agency may have more stringent requirements. Check with your primacy agency to make sure you meet its requirements.

Community systems must use one of the following (141.204(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following (141.204(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the CCR, as long as public notification timing and delivery requirements are met (141.204(d)). You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Include in your notice the standard language for monitoring and testing procedure violations in *italics* (141.205(d)(2)). If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for [System]

Our water system violated several drinking water standards over the past year. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we [did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the last year, how often we are supposed to sample for [this contaminant/these contaminants] and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples were or will be taken
VOCs ¹ (example)	1 sample every three years	0	1996-1998	February 1999

What happened? What is being done?

[Describe corrective action.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

¹VOCs, also known as volatile organic compounds, are tested by collecting one sample and testing that sample for all the VOCs. VOCs are commonly used in industrial and manufacturing processes. VOCs include benzene, carbon tetrachloride, chlorobenzene, 1,2-dichlorobenzene, 1,4-dichlorobenzene, 1,2-dichloroethane, cis-dichloroethylene, trans-dichloroethylene, dichloromethane, 1,2-dichloropropane, ethylbenzene, styrene, tetrachloroethylene, 1,1,1-trichloroethane, trichloroethylene, toluene, 1,2,4-trichlorobenzene, 1,1-dichloroethylene, 1,1,2-trichloroethane, vinyl chloride, and xylene.

Instructions for Fluoride SMCL Notice--Template 3-2

Template on Reverse

For any exceedance of the fluoride secondary maximum contaminant level SMCL, you must provide public notice to persons served as soon as practical but within 12 months after you learn of the exceedance (141.208), using the provided mandatory language and filling in the blanks. Your primacy agency may have more stringent deadlines or other requirements. Because fluoride at levels above the SMCL can permanently discolor children's teeth, you are urged to issue this notice as soon as practical. Non-community systems that monitor for fluoride (federal law does not require non-community systems to monitor) are encouraged to notify their consumers if they exceed the SMCL, especially at water systems serving children. If you exceed the MCL of 4 mg/l, you must provide notice within 30 days of learning of the violation (141.203(a)). See Template 2-4.

Community systems must use one of the following (141.204(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

In addition, you must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the exceedance is resolved. If the exceedance has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the CCR, as long as public notification timing and delivery requirements are met (141.204(d)), as well as for a separate individual notice. The language on the template is mandatory and may not be modified, although you may add to the notice, as suggested below (141.208).

Explaining the Situation

Use the following language, if applicable:

- Fluoride contamination is rarely due to human activity. Fluoride occurs naturally in some areas and is found in high concentrations in the aquifer in our source water.

If the fluoride levels in the water have returned to below the SMCL, be sure to make this clear in your notice.

Corrective Actions

In your notice, you should describe corrective actions you took or are taking, if any. The bullet below describes one action commonly taken by water systems with fluoride SMCL exceedances. Use this language, or develop your own:

- We are continuing to monitor fluoride levels. We will inform you if they exceed the limit of 4 mg/l.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER
Elevated Fluoride Levels Detected

This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/l.

Dental fluorosis in its moderate or severe forms, may result in a brown staining and or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.

Drinking water containing more than 4 mg/l of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem.

For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by [system]. State Water System ID#: _____. Date distributed: _____

8. Special Needs of Non-Community Systems

This chapter discusses ways to tailor public notices for non-community systems (e.g., schools, businesses, gas stations, campgrounds, and restaurants). Non-community systems have different delivery requirements than community systems, although in practice, the delivery methods used by non-community systems and very small community systems will be similar. This chapter also contains templates designed for posted notices for total coliform, fecal coliform, nitrate, and monitoring violations.



Also Read . . .

Chapter 2: "How to Use the Handbook"
Chapter 3: "Summary of Requirements"
Chapter 4: "Making Public Notification Work"

See Chapters 5-7 for additional templates and more detail on the delivery requirements for Tier 1, 2, and 3 notices.

Nontransient non-community systems provide water to the same people at least six months a year. Examples of nontransient systems include **schools** and **office buildings**. Nontransient non-community water systems are subject to the same requirements as community water systems (except for rules on fluoride, radionuclides, and arsenic). Operators of these systems will need to refer to templates in other chapters of this handbook for chemical or treatment technique violation notices.

Transient non-community water systems provide water to a population that changes day-to-day. They include **campgrounds, rest areas, and restaurants** with their own wells. Transient systems are required to meet drinking water standards for nitrate, coliform, and chlorine dioxide, along with the requirements of the Surface Water Treatment Rule. Operators of these systems should in most cases not need templates other than those included in this chapter; however, they may need to refer to other chapters for more detail.

Special Notice for Nitrate MCL Exceedances Non-Community Systems Only

Non-community water systems that have been **granted permission by the primacy agency** to exceed the nitrate MCL must provide continuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure (141.209). You must follow the Tier 1 delivery requirements and include the additional required content elements summarized in the following pages. Your primacy agency may only grant permission to exceed the MCL if you can demonstrate that the water will not be available to children under 6 months of age (141.11(d)).

8. Special Needs of Non-Community Systems

Summary of Public Notification Requirements

Table 3 on the following page summarizes the violations and situations requiring notice included in each tier, the deadlines for issuing a public notice, and the approved methods of delivery. Refer to the "Summary of Requirements" starting on page 5 for a complete description of the violations or situations and their time frames. For a complete list of violations and situations and their respective tiers, refer to Appendix A. **Your primacy agency may have stricter requirements. Also, read the other chapters of this handbook before a violation or other situation occurs to familiarize yourself with the public notification process and requirements.**



Required Elements of a Public Notice (141.205(d))

1. A description of the violation or situation;
2. When the violation or situation occurred;
3. Potential adverse health effects; using the health effects language in Appendix B or language for monitoring violations;
4. Population(s) at risk;
5. Whether alternative water supplies should be used;
6. Actions consumers should take, including when they should seek medical help, if known;
7. What you are doing to correct the violation or situation;
8. When you expect to return to compliance;
9. Name, business address, and phone number for additional information; and
10. Standard language encouraging distribution to all persons served, where applicable.

In addition to the elements shown in the box, a public notice also must include the following standard language (141.205(d)):

- ✓ Standard health effects language for MCL violations, treatment technique violations, and violations of the condition of a variance or exemption (specified in Appendix B); or
- ✓ Standard language for monitoring and testing procedure violations.

See page 11 for more details on standard language. You may also be required to translate part of your notice if a large proportion of the population served does not speak English (141.205(c)). See page 12 for a more detailed description. Spanish-language templates for nitrate and fecal coliform violations are provided with the Tier 1 templates in Chapter 5.

8. Special Needs of Non-Community Systems

Table 3 Public Notice Requirements for Non-Community Systems (141.202, 203, 204)			
Tier	Violations or Situations by Tier* (see also Appendix A)	Deadline— Within...	Methods to Use** (see Chapters 5-7)
1	<ul style="list-style-type: none"> • Presence of fecal coliform or <i>E. coli</i> or failure to test for fecal coliform/<i>E. coli</i> after repeat samples test positive for coliform. • Nitrate, nitrite, or total nitrate and nitrite MCL violation or failure to take a confirmation sample. • Exceedance of the nitrate MCL (when permitted by the primacy agency, see page 81). • Chlorine dioxide MRDL violation when one or more of the samples taken in the distribution system on the day after exceeding the MRDL at the entrance of the distribution system or when required samples are not taken in the distribution system.† • Violation of turbidity MCL of 5 NTU, if elevated by primacy agency, or if consultation does not occur. • Treatment technique violation involving single exceedance of turbidity limit, if elevated by primacy agency, or if consultation does not occur. • Waterborne disease outbreak or other waterborne emergency. • Other violations or situations as determined by the primacy agency. 	24 hours***	Posting, hand delivery, radio, and/or television Plus any other method calculated to reach others not reached by the first method
2	<ul style="list-style-type: none"> • All MCL, MRDL, and treatment technique violations not included in Tier 1. • Monitoring violations as determined by the primacy agency. • Violations of the conditions of a variance or exemption. 	30 days ††	Posting, hand delivery, or mail Plus any other method calculated to reach others not reached by the first method
3	<ul style="list-style-type: none"> • Monitoring violations, except those in Tier 1 or 2. • Failure to comply with testing procedures. • Operation under a variance or exemption. • Availability of monitoring data for unregulated contaminants. 	1 year †††	Posting, hand delivery, or mail Plus any other method calculated to reach others not reached by the first method
*	Transient systems are not subject to MRDLs, MCLs, (except coliform, nitrate/nitrite/total nitrate and nitrite, and chlorine dioxide) or treatment techniques (except for those in the Surface Water Treatment Rule).		
**	Your primacy agency may approve other methods.		
***	You must also notify the State primacy agency within 24 hours of learning of the violation or situation.		
†	For systems serving less than 10,000 people this becomes effective January 1, 2004. For systems serving 10,001 people or more, this becomes effective January 1, 2002.		
††	For turbidity MCLs of 5 NTU or single exceedances of turbidity limits, you must initiate consultation with the primacy agency within 24 hours. If consultation does not occur, the violation becomes Tier 1.		
†††	You should consider combining Tier 3 violations and situations into an annual notice.		

8. Special Needs of Non-Community Systems

What are the required methods of delivery?

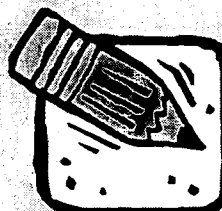
The violations and situations requiring public notice requirements are placed into three tiers according to their potential severity. For **Tier 1** violations and situations, you must use one of the following methods to distribute required notices: posting, hand delivery, newspapers, or radio and/or television. You may need to use another method to reach other persons served (141.202(c)). You must use posting, hand delivery, or mail for **Tier 2 and 3** notices, plus another method to reach others if they would not normally be reached by the first method. Your primacy agency may allow you to use a different method of delivery for any tier. You must also post every notice for as long as the violation or situation exists to let visitors or new employees know of the situation. If a Tier 2 or 3 violation or situation has already been resolved, you must post the notice for at least seven days (141.203(b); 141.204(b)). If you can reach all persons served with the first method you choose, you may not need to use additional methods. At a gas station, for instance, posting would be sufficient to reach all persons served.

Suggestions for the Layout of the Notice

In addition to being concise and readable, notices for non-community systems should be appropriate to the consumers' situation. For example, visitors at a rest stop just need to be aware they shouldn't drink the water, rather than be told to boil it. See Templates NC-1 through NC-4 at the end of this chapter for examples of postings. See Chapter 3 for a description of the formatting requirements for public notices.

How should the notice be formatted to get people's attention?

A person walking by a posted notice is unlikely to read the entire notice. Therefore, you should format the notice so that consumers will see and read the most important information first. This should consist of a title designed to catch their attention, information on the population at risk (if applicable), actions consumers should take, a very short description of the violation or situation, and where to obtain alternative sources of water if alternative water supplies should be used.



Formatting Hints

- Limit the notice to one page. Be concise.
- Display important elements in bold and/or large type and/or all upper case letters.
- List each of the most important elements on a separate line and center the text, leaving a blank line between each element.
- Other required elements, such as health effects and your corrective actions, can be provided in paragraph format, with a title for each paragraph if space permits.

8. Special Needs of Non-Community Systems

How should I tailor the notices to my situation?

If you are providing bottled or other sources of water, list the location from which you are distributing or selling it. If you use water for cooking (e.g., you are a **restaurant**), be sure to let customers know that you are using bottled water for this purpose.

If your system supplies water to people for cooking (such as a **campground**), your notice should provide instructions on how to use the water to cook. For example, in the case of a nitrate violation, instruct consumers not to boil water used for infants, since boiling makes nitrates more concentrated. For fecal coliform or *E. coli* violations, instruct them to use boiled water for brushing teeth, washing dishes, and food preparation.

For transient systems (such as a **restaurant** or a **rest stop**) or nontransient systems (such as **schools** or **office buildings**) with fecal coliform or *E. coli* violations, where the water is used for drinking only, simply tell consumers not to drink the water.

For systems serving a large proportion of non-English speaking people, such as some schools, national or state parks, or rest areas, you should include the appropriate translated phrases provided in Appendix C.

Suggestions for Effective Public Notice Delivery

Most non-community systems can probably use some combination of posting and hand delivery. For instance, a transient system such as a **campground** should post notices in bathrooms or at pumps and hand out flyers to campers as they register. A **school** should post notices at water fountains and send a notice home with students for their parents. A **resort** should hand deliver notices to guests' rooms or cottages as well as post them in common areas. A system serving a **seasonal resort town** should even mail notices to service connections.

If you have multiple monitoring violations throughout the year, you may wish to consolidate notices into one **annual notice**. You must provide notice within at least 12 months of the first violation. This may save money by reducing the amount of time you spend on posting, copying, and delivering. However, you may find it easier to issue notices as violations or situations occur, rather than trying to pull up records and compile them at the end of the year. It may also make more sense to issue individual notices if you are a transient system. An annual notice at such a system would not have much relevance to someone who passed through the area served by the system one day out of the year. Your primacy agency may also have more stringent requirements.

How can I make posting effective?

Post notices at all water fountains and sinks, on bulletin boards, outside administrative offices, and at any other appropriate central locations. Posted notices must remain posted for as long as the violation or situation persists (141.206(b)). Violations are not resolved until the primacy agency determines they are resolved. Postings about resolved violations must remain in place for

8. Special Needs of Non-Community Systems

at least one week (141.203(b); 141.204(b)). This is especially important in transient systems where consumers are continuously entering and leaving the area served.

Be sure that the notice is durable. It should not blow away if posted outdoors. Consider laminating notices that will be placed over sinks or outside, especially if they are likely to remain there for an extended time.

What other methods are available for non-community systems to reach all consumers?

You may also want to use some of these ideas in addition to one of the required methods listed above:

- Spoken word — If you are doing hand delivery and time permits, take the time to explain the situation as you hand deliver the notice. Or have a meeting to explain the situation to your employees, students, etc.
- The Internet (e-mail and home pages) — This method is most appropriate for systems where users regularly use computers and e-mail, such as a **business** or a **college**. Posting or some other method of notification would still be required for visitors who may not have access to e-mail. Home pages are a good place to furnish updates and more detailed information after the initial notice is provided.
- Sound trucks — Sound trucks might be useful as a supplement to hand delivery. They are most appropriate for distribution at a time of day when most people are expected to be home or in a concentrated area such as a beach or campground.
- Answering machines — Include public notice information on the greeting of your answering machine or voicemail. The greeting can be updated as you make progress in resolving the violation or situation. It also enables you to at least partially answer your customers' questions and fix the problem at the same time.
- Newsletters — If you have a corporate or college newsletter, include your notice in your next issue.
- Community organizations — Distribute multiple copies to social service agencies or clinics. This way doctors or case workers will be informed if their patients or clients ask them about the implications of the violation or situation.
- Automatic dialers — Some phone systems can be programmed to send voicemail to every extension. This might be useful to notify employees in an office building, students and professors at a university, or guests at a hotel or resort.

TEMPLATES FOR NON-COMMUNITY SYSTEMS

The pages that follow contain templates for use by non-community systems. They are generally designed for posting, and their instructions to consumers are tailored to systems where consumers will not be able to boil or otherwise treat their water. Along with each template are instructions, including the required method of delivery and instructions for completing individual sections of the notice. These instructions are designed to supplement Chapter 8, so you may see much of the information repeated here.

Templates for other violations can be found in Chapters 5-7 and are listed in the table of contents of this handbook. Most of those templates are appropriate for hand delivery but would need to be modified for posting.

Mandatory language on health effects, which must be included exactly as written, is presented in *italics* (141.205(d)).

You must include the following italicized language in all notices, where applicable. If you post the notice, this language would not be appropriate, since the message would be available to anyone who passes it; in such cases you may omit the language from your notice. Use of this language does *not* relieve you of your obligation to take steps reasonably calculated to notify persons served (141.205(d)):

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Templates

Nitrate Notice—Template NC-1

Fecal Coliform or *E. coli* Notice—Template NC-2

Unresolved Total Coliform Notice—Template NC-3

Monitoring Violation Notice—Template NC-4

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Instructions for Nitrate Notice—Template NC-1

Template on Reverse

Since exceeding the nitrate maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time period, you must also contact your primacy agency. **This template is also applicable to nitrite and total nitrate and nitrite violations.** It can also be used by non-community systems allowed by their primacy agency to exceed the limit without incurring a violation but still required to post. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Posting in conspicuous locations
- Hand or direct delivery
- Radio
- Television

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals or clinics), since notice must be provided in a manner reasonably calculated to reach all persons served.

The language to encourage distribution of the notice is included on this notice; however, if you post this notice, omit the mandatory language to encourage distribution, as it is not needed since posting makes the notice available to everyone who passes by. If you modify the notice, you must leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). See Template 1-1 for a more detailed notice.

Alternative Sources of Water

If you are selling or providing bottled water, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets the standard for nitrates by contacting the bottler and asking for the most recent test results.

Repeat Notices

If this is a repeat notice for a non-transient non-community system, you may wish to include an explanation similar to the following:

As you may recall, on [date], you were also notified of high nitrate levels that occurred during the ____ quarter of the year. Since that time the water system has been monitoring the nitrate concentration every three months. Seasonal fluctuations in nitrate concentrations have been observed, due to nitrates contained in fertilizer. It appears the high nitrates occur during the later summer and fall. Note that previous tests prior to [year] show that we were meeting drinking water standards for nitrate.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with nitrate/nitrite violations. Use the following language, if appropriate:

- We are investigating water treatment and other options. These may include drilling a new well or mixing the water with low-nitrate water from another source.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notification requirements within ten days after issuing the notice (141.31(d)).

It is a good idea to inform your consumers when the violation has been resolved, especially if you have regular customers. See Template 1-6 for a "problem corrected" notice template.

DRINKING WATER WARNING

FOR PARENTS OF INFANTS 6 MONTHS AND YOUNGER DO NOT USE THE WATER FOR INFANT FORMULA

High nitrate levels were detected on [date]

Bottled water should be used. [We are providing bottled water for infants and their families at ____].

Adults and children older than 6 months can drink the water

A routine sample on [date] showed a nitrate concentration in the drinking water of [level and units]. This is above the nitrate standard, or maximum contaminant level, of [state/federal MCL].

Possible Health Effects

Infants below the age of six months who drink water containing nitrate in excess of the maximum contaminant level could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome. Blue baby syndrome is indicated by blueness of the skin. Nitrate is a concern for infants because they can't process nitrates in the same way adults can.

Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur in a child less than 6 months old, seek medical attention immediately.

If you are pregnant or have specific health concerns, you may wish to consult your doctor.

Steps We Are Taking

[Describe corrective action.]

We anticipate resolving the problem within [estimated time frame]. We will inform you when this problem has been corrected. For more information, please contact [name of contact] of [system] at [phone number] or [location/address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

State Water System ID#: _____. Date distributed: _____

Instructions for Fecal Coliform or *E. coli* Notice--Template NC-2

Template on Reverse

This template is intended for systems where consumers will not be able to boil water. See the instructions below on how to modify this template for other situations. Since exceeding the fecal coliform or *E. coli* maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time period you must also contact your primacy agency. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Posting in conspicuous locations
- Hand or direct delivery
- Radio
- Television

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals or clinics), since notice must be provided in a manner reasonably calculated to reach all persons served.

The language to encourage distribution of the notice is included on this notice; however, if you post this notice, omit the mandatory language to encourage distribution, as it is not needed since posting makes the notice available to everyone who passes by. If you modify the notice, you must leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). See Template 1-2 for a more detailed template appropriate for hand delivery (but with different instructions to consumers).

Instructions to Consumers

You may need to modify the instruction based on your system type. For instance, at a campground, you might tell consumers to boil the water before drinking or using for food preparation. Instructions also should depend on whether your system has elevated nitrate levels.

Alternative Sources of Water

If you are selling or providing bottled water, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets the standard for bacteria and other contaminants by contacting the bottler and asking for the most recent test results.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with fecal coliform violations. Use one or more of the following actions, if appropriate:

- We are chlorinating and flushing the water system.
- We are increasing sampling for coliform bacteria.
- We are repairing the wellhead seal.
- We are repairing the storage tank.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notification requirements within ten days after issuing the notice (141.31(d)).

It is a good idea to inform your consumers when the violation has been resolved, especially if you have regular customers. See Template 1-6 for a "problem corrected" notice template.

WARNING

DO NOT DRINK THE WATER

Fecal coliform [or *E. coli*] bacteria were found in the water supply on
[date]

Bottled water is available from _____]

Possible Health Effects

Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.

People at increased risk should seek advice about drinking water in general from their health care providers.

Steps We Are Taking

[Describe corrective action.]

We will inform you when additional samples show no coliform bacteria and you may drink the water. We anticipate resolving the problem within [estimated time frame]. For more information, please contact [name of contact] of [system] at [phone number] or [location/address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

State Water System ID#: _____. Date distributed: _____

Instructions for Unresolved Total Coliform Notice--Template NC-3

Template on Reverse

This template is intended for systems where consumers will not need to boil their water or where they will not have the facilities to do so. Since exceeding the total coliform bacteria maximum contaminant level is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation (141.203(b)). **Persistent total coliform problems can pose a serious health risk, and your privacy agency may elevate such situations to Tier 1. Check with your privacy agency to make sure you meet all its requirements.** You must issue a repeat notice every three months for as long as the violation persists. Alternative language for systems required to take more than 40 samples a month is provided below.

Non-community systems must use one of the following methods (141.203(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

You must also use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.203(c)). In addition to the methods above, such methods could include newspapers, e-mail, or delivery to community organizations.

The language to encourage distribution of the notice is included on this notice; however, if you post this notice, omit the mandatory language to encourage distribution, as it is not needed since posting makes the notice available to everyone who passes by. If you modify the notice, you must leave the health effects language in italics unchanged. This language is mandatory (141.205(d)).

Description of the Violation

The template on the reverse is intended for use by systems taking fewer than 40 samples a month. Use the following language if you are required to take 40 or more samples per month:

- We routinely monitor for the presence of drinking water contaminants. During [month], ____ percent of our samples showed the presence of total coliform bacteria. The standard is that no more than 5 percent of samples may do so.

Corrective Action

In your notice, describe corrective actions you are taking. If you know what is causing the coliform problem, explain this in the notice. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are chlorinating and flushing the water system.
- We are increasing sampling for coliform bacteria.
- We are repairing the wellhead seal.
- We are repairing the storage tank.
- We will inform you when additional samples show no coliform bacteria.

Make sure to send a copy of each type of notice and a certification that you have met all the public notice requirements to your privacy agency within ten days after issuing the notice (141.31(d)).

It is a good idea to inform your consumers when the violation has been resolved, especially if you have regular customers. See Template 1-6 for a "problem corrected" notice template.

DRINKING WATER NOTICE

Tests show presence of coliform bacteria in water

We routinely monitor for the presence of drinking water contaminants. We took [number] samples during [month]. [Number] of those samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may do so.

What This Means

This is not an emergency. Total coliform bacteria are generally not harmful themselves.

Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems. Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution systems.

You may drink the water. However, if you have specific health concerns, consult your doctor.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers.

Steps We Are Taking

[Describe corrective action.]

We will inform you when additional samples show no coliform bacteria. We anticipate resolving the problem within [estimated time frame]. For more information, please contact [name of contact] of [system] at [phone number] or [location/address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

State Water System ID#: _____ Date distributed: _____

Instructions for Monitoring Violation Notice–Template NC-4

Template on Reverse

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation (141.204(b)). Multiple monitoring violations can be serious, and your primacy agency may have more stringent requirements. Check with your primacy agency to make sure you meet its requirements.

Non-community systems must use one of the following methods (141.204(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, you must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newsletters, e-mail, or delivery to community organizations. The language to encourage distribution of the notice is included on this notice; however, if you post this notice, omit the mandatory language to encourage distribution, as it is not needed since posting makes the notice available to everyone who passes by.

You must post the notice until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for an annual notice combining notification for several violations, as well as for notices for individual violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Include in your notice the standard language for monitoring and testing procedure violations in *italics* (141.205(d)(2)). If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

DRINKING WATER NOTICE

Monitoring requirements not met for [system]

We violated a drinking water standard. Even though this was not an emergency, as our customers, you have a right to know what happened and what we are doing to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we [‘did not monitor’ or ‘did not complete all monitoring’] for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time.

What This Means

There is nothing you need to do at this time. The table below lists the contaminant(s) we did not properly test for, how often we are supposed to sample for [it/them] and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples were or will be taken
Coliform (example)	twice per month	1	July 1, July 15, August 1	July 1, August 1

Steps We Are Taking

[Describe corrective action.] For more information, please contact [name of contact] of [system] at [phone number] or [location/address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

State Water System ID#: _____. Date distributed: _____

Appendices

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Appendix A
NPDWR Violations and Other Situations Requiring Public Notice¹
(From Appendix A of 40 CFR 141, Subpart Q)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring & Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
I. Violations of National Primary Drinking Water Regulations (NPDWR):³				
A. Microbiological Contaminants				
1. Total coliform	2	141.63(a)	3	141.21(a)-(e)
2. Fecal coliform/ <i>E. coli</i>	1	141.63(b)	1, 3 ⁴	141.21(e)
3. Turbidity MCL	2	141.13(a)	3	141.22
4. Turbidity MCL (average of 2 days' samples >5 NTU)	2, 1 ⁵	141.13(b)	3	141.22
5. Turbidity (for TT violations resulting from a single exceedance of maximum allowable turbidity level)	2, 1 ⁶	141.71(a)(2), 141.71(c)(2)(i), 141.73(a)(2) 141.73(b)(2) 141.73(c)(2) 141.73(d) 141.173(a)(2) 141.173(b)	3	141.74(a)(1), 141.74(b)(2), 141.74(c)(1), 141.174
6. Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. allowable turbidity level (TT)	2	141.70-141.73	3	141.74
7. Interim Enhanced Surface Water Treatment Rule violations, other than violations resulting from single exceedance of max. turbidity level (TT)	2	141.170-141.173 ⁷	3	141.172 141.174
B. Inorganic Chemicals (IOCs)				
1. Antimony	2	141.62(b)	3	141.23(a), (c)
2. Arsenic	2	141.11(b) 141.23(n)	3	141.23(a), (l), (m)
3. Asbestos (fibers >10 µm)	2	141.62(b)	3	141.23(a)-(b)
4. Barium	2	141.62(b)	3	141.23(a), (c)
5. Beryllium	2	141.62(b)	3	141.23(a), (c)
6. Cadmium	2	141.62(b)	3	141.23(a), (c)
7. Chromium (total)	2	141.62(b)	3	141.23(a), (c)
8. Cyanide	2	141.62(b)	3	141.23(a), (c)
9. Fluoride	2	141.62(b)	3	141.23(a), (c)
10. Mercury (inorganic)	2	141.62(b)	3	141.23(a), (c)
11. Nitrate	1	141.62(b)	1, 3 ⁸	141.23(a), (d) 141.23(f)(2)
12. Nitrite	1	141.62(b)	1, 3 ⁸	141.23(a), (e) 141.23(f)(2)
13. Total Nitrate and Nitrite	1	141.62(b)	3	141.23(a)
14. Selenium	2	141.62(b)	3	141.23(a), (c)
15. Thallium	2	141.62(b)	3	141.23(a), (c)

Appendix A
NPDWR Violations and Other Situations Requiring Public Notice¹
(From Appendix A of 40 CFR 141, Subpart Q)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring & Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
C. Lead and Copper Rule (Action Level for lead is 0.015 mg/L, for copper is 1.3 mg/L)				
1. Lead and Copper Rule (TT)	2	141.80-141.85	3	141.86-141.89
D. Synthetic Organic Chemicals (SOCs)				
1. 2,4-D	2	141.61(c)	3	141.24(h)
2. 2,4,5-TP (Silvex)	2	141.61(c)	3	141.24(h)
3. Alachlor	2	141.61(c)	3	141.24(h)
4. Atrazine	2	141.61(c)	3	141.24(h)
5. Benzo(a)pyrene (PAHs)	2	141.61(c)	3	141.24(h)
6. Carbofuran	2	141.61(c)	3	141.24(h)
7. Chlordane	2	141.61(c)	3	141.24(h)
8. Dalapon	2	141.61(c)	3	141.24(h)
9. Di (2-ethylhexyl) adipate	2	141.61(c)	3	141.24(h)
10. Di (2-ethylhexyl) phthalate	2	141.61(c)	3	141.24(h)
11. Dibromochloropropane	2	141.61(c)	3	141.24(h)
12. Dinoseb	2	141.61(c)	3	141.24(h)
13. Dioxin (2,3,7,8-TCDD)	2	141.61(c)	3	141.24(h)
14. Diquat	2	141.61(c)	3	141.24(h)
15. Endothall	2	141.61(c)	3	141.24(h)
16. Endrin	2	141.61(c)	3	141.24(h)
17. Ethylene dibromide	2	141.61(c)	3	141.24(h)
18. Glyphosate	2	141.61(c)	3	141.24(h)
19. Heptachlor	2	141.61(c)	3	141.24(h)
20. Heptachlor epoxide	2	141.61(c)	3	141.24(h)
21. Hexachlorobenzene	2	141.61(c)	3	141.24(h)
22. Hexachlorocyclopentadiene	2	141.61(c)	3	141.24(h)
23. Lindane	2	141.61(c)	3	141.24(h)
24. Methoxychlor	2	141.61(c)	3	141.24(h)
25. Oxamyl (Vydate)	2	141.61(c)	3	141.24(h)
26. Pentachlorophenol	2	141.61(c)	3	141.24(h)
27. Picloram	2	141.61(c)	3	141.24(h)
28. Polychlorinated biphenyls (PCBs)	2	141.61(c)	3	141.24(h)
29. Simazine	2	141.61(c)	3	141.24(h)
30. Toxaphene	2	141.61(c)	3	141.24(h)
E. Volatile Organic Chemicals (VOCs)				
1. Benzene	2	141.61(a)	3	141.24(f)
2. Carbon tetrachloride	2	141.61(a)	3	141.24(f)
3. Chlorobenzene (monochlorobenzene)	2	141.61(a)	3	141.24(f)
4. <i>o</i> -Dichlorobenzene	2	141.61(a)	3	141.24(f)
5. <i>p</i> -Dichlorobenzene	2	141.61(a)	3	141.24(f)
6. 1,2-Dichloroethane	2	141.61(a)	3	141.24(f)
7. 1,1-Dichloroethylene	2	141.61(a)	3	141.24(f)

Appendix A
NPDWR Violations and Other Situations Requiring Public Notice¹
(From Appendix A of 40 CFR 141, Subpart Q)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring & Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
8. <i>cis</i> -1,2-Dichloroethylene	2	141.61(a)	3	141.24(f)
9. <i>trans</i> -1,2-Dichloroethylene	2	141.61(a)	3	141.24(f)
10. Dichloromethane	2	141.61(a)	3	141.24(f)
11. 1,2-Dichloropropane	2	141.61(a)	3	141.24(f)
12. Ethylbenzene	2	141.61(a)	3	141.24(f)
13. Styrene	2	141.61(a)	3	141.24(f)
14. Tetrachloroethylene	2	141.61(a)	3	141.24(f)
15. Toluene	2	141.61(a)	3	141.24(f)
16. 1,2,4-Trichlorobenzene	2	141.61(a)	3	141.24(f)
17. 1,1,1-Trichloroethane	2	141.61(a)	3	141.24(f)
18. 1,1,2-Trichloroethane	2	141.61(a)	3	141.24(f)
19. Trichloroethylene	2	141.61(a)	3	141.24(f)
20. Vinyl chloride	2	141.61(a)	3	141.24(f)
21. Xylenes (total)	2	141.61(a)	3	141.24(f)
F. Radioactive Contaminants				
1. Beta/photon emitters	2	141.16	3	141.25(a) 141.26(b)
2. Alpha emitters (gross alpha)	2	141.15(b)	3	141.25(a) 141.26(a)
3. Combined radium (226 & 228)	2	141.15(a)	3	141.25(a) 141.26(a)
G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals. Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs).⁹				
1. Total trihalomethanes (TTHMs)	2	141.12, ¹⁰ 141.64(a)	3	141.30, 141.132(a)-(b)
2. Haloacetic Acids (HAA5)	2	141.64(a)	3	141.132(a)-(b)
3. Bromate	2	141.64(a)	3	141.132(a)-(b)
4. Chlorite	2	141.64(a)	3	141.132(a)-(b)
5. Chlorine (MRDL)	2	141.65(a)	3	141.132(a), (c)
6. Chloramine (MRDL)	2	141.65(a)	3	141.132(a), (c)
7. Chlorine dioxide (MRDL), where any 2 consecutive daily samples at entrance to distribution system only are above MRDL	2	141.65(a), 141.133(c)(3)	2 ¹¹ , 3	141.132(a), (c) 141.133(c)(2)
8. Chlorine dioxide (MRDL), where sample(s) in distribution system the next day are also above MRDL	1 ¹²	141.65(a), 141.133(c)(3)	1	141.132(a), (c) 141.133(c)(2)
9. Control of DBP precursors--TOC (TT)	2	141.135(a)-(b)	3	141.132(a), (d)

Appendix A
NPDWR Violations and Other Situations Requiring Public Notice¹
(From Appendix A of 40 CFR 141, Subpart Q)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring & Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
10. Bench marking and disinfection profiling	N/A	N/A	3	141.172
11. Development of monitoring plan	N/A	N/A	3	141.132(f)
H. Other Treatment Techniques				
1. Acrylamide (TT)	2	141.111	N/A	N/A
2. Epichlorohydrin (TT)	2	141.111	N/A	N/A
II. Unregulated Contaminant Monitoring:¹³				
A. Unregulated contaminants	N/A	N/A	3	141.40
B. Nickel	N/A	N/A	3	141.23(c), (k)
III. Public Notification for Variances and Exemptions:				
A. Operation under a variance or exemption	3	1415, 1416, ¹⁴	N/A	N/A
B. Violation of conditions of a variance or exemption	2	1415, 1416, 142.307 ¹⁵	N/A	N/A
IV. Other Situations Requiring Public Notification:				
A. Fluoride secondary maximum contaminant level (SMCL) exceedance	3	143.3	N/A	N/A
B. Exceedance of nitrate MCL for non-community systems, as allowed by primacy agency	1	141.11(d)	N/A	N/A
C. Availability of unregulated contaminant monitoring data	3	141.40	N/A	N/A
D. Waterborne disease outbreak	1	141.2, 141.71(c)(2)(ii)	N/A	N/A
E. Other waterborne emergency ¹⁶	1	N/A	N/A	N/A
F. Other situations as determined by primacy agency	1, 2, 3 ¹⁷	N/A	N/A	N/A

Appendix A Endnotes

1. Violations and other situations not listed in this table (e.g., reporting violations and failure to prepare Consumer Confidence Reports) do not require notice, unless otherwise determined by the primacy agency. Primacy agencies may, at their option, also require a more stringent public notice tier (e.g., Tier 1 instead of Tier 2 or Tier 2 instead of Tier 3) for specific violations and situations listed in this Appendix, as authorized under §141.202(a) and §141.203(a).

2. MCL - Maximum contaminant level, MRDL - Maximum residual disinfectant level, TT - Treatment technique

3. The term *Violations of National Primary Drinking Water Regulations (NPDWR)* is used here to include violations of MCL, MRDL, treatment technique, monitoring, and testing procedure requirements.

4. Failure to test for fecal coliform or *E. coli* is a Tier 1 violation if testing is not done after any repeat sample tests positive for coliform. All other total coliform monitoring and testing procedure violations are Tier 3.
5. Systems that violate the turbidity MCL of 5 NTU based on an average of measurements over two consecutive days must initiate consultation with the primacy agency within 24 hours after learning of the violation. Based on this consultation, the primacy agency may subsequently decide to elevate the violation to Tier 1. If a system is unable to make contact with the primacy agency in the 24-hour period, the violation is automatically elevated to Tier 1.
6. Systems with treatment technique violations involving a *single* exceedance of a maximum turbidity limit under the Surface Water Treatment Rule (SWTR) or the Interim Enhanced Surface Water Treatment Rule (IESWTR) are required to initiate consultation with the primacy agency within 24 hours after learning of the violation. Based on this consultation, the primacy agency may subsequently decide to elevate the violation to Tier 1. If a system is unable to make contact with the primacy agency in the 24-hour period, the violation is automatically elevated to Tier 1.
7. Most of the requirements of the Interim Enhanced Surface Water Treatment Rule (63 FR 69477) (§§141.170-141.171, 141.173-141.174) become effective January 1, 2002 for Subpart H systems (surface water systems and ground water systems under the direct influence of surface water) serving at least 10,000 persons. However, §141.172 has some requirements that become effective as soon as April 16, 1999. The Surface Water Treatment Rule remains in effect for systems serving at least 10,000 persons even after 2002; the Interim Enhanced Surface Water Treatment Rule adds additional requirements and does not in many cases supercede the SWTR.
8. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.
8. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.
9. Subpart H community and non-transient non-community systems serving $\geq 10,000$ must comply with new DBP MCLs, disinfectant MRDLs, and related monitoring requirements beginning January 1, 2002. All other community and non-transient non-community systems must meet the MCLs and MRDLs beginning January 1, 2004. Subpart H transient non-community systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2002. Subpart H transient non-community systems serving fewer than 10,000 persons and using only ground water not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004.
10. §141.12 will no longer apply after January 1, 2004.
11. Failure to monitor for chlorine dioxide at the entrance to the distribution system the day after exceeding the MRDL at the entrance to the distribution system is a Tier 2 violation.
12. If any daily sample taken at the entrance to the distribution system exceeds the MRDL for chlorine dioxide and one or more samples taken in the distribution system the next day exceed the MRDL, Tier 1 notification is required. Failure to take the required samples in the distribution system after the MRDL is exceeded at the entry point also triggers Tier 1 notification.
13. Some water systems must monitor for certain unregulated contaminants listed in §141.40.
14. This citation refers to §§1415 and 1416 of the Safe Drinking Water Act. §§1415 and 1416 require that "a schedule prescribed . . . for a public water system granted a variance [or exemption] shall require compliance by the system . . ."
15. In addition to §§1415 and 1416 of the Safe Drinking Water Act, 40 CFR 142.307 specifies the items and schedule milestones that must be included in a variance for small systems.

16. Other waterborne emergencies require a Tier 1 public notice under §141.202(a) for situations that do not meet the definition of a waterborne disease outbreak given in 40 CFR 141.2 but that still have the potential to have serious adverse effects on health as a result of short-term exposure. These could include outbreaks not related to treatment deficiencies, as well as situations that have the potential to cause outbreaks, such as failures or significant interruption in water treatment processes, natural disasters that disrupt the water supply or distribution system, chemical spills, or unexpected loading of possible pathogens into the source water.

17. Primacy agencies may place other situations in any tier they believe appropriate, based on threat to public health.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
National Primary Drinking Water Regulations (NPDWR):			
A. Microbiological Contaminants			
1a. Total coliform	Zero	See footnote ³	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
1b. Fecal coliform/ <i>E. coli</i>	Zero	Zero	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.
2a. Turbidity (MCL) ⁴	None	1 NTU ⁵ / 5 NTU	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
2b. Turbidity (SWTR TT) ⁶	None	TT ⁷	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
2c. Turbidity (IESWTR TT) ⁸	None	TT	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
B. Surface Water Treatment Rule (SWTR) and Interim Enhanced Surface Water Treatment Rule (IESWTR)			
3. <i>Giardia lamblia</i> (SWTR/IESWTR) 4. Viruses (SWTR/IESWTR) 5. Heterotrophic plate count (HPC) bacteria ⁹ (SWTR/IESWTR) 6. <i>Legionella</i> (SWTR/IESWTR) 7. <i>Cryptosporidium</i> (IESWTR)	Zero	TT ¹⁰	Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
C. Inorganic Chemicals (IOCs)			
8. Antimony	0.006	0.006	Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.
9. Arsenic	None	0.05	Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.
10. Asbestos (>10 µm)	7 MFL ¹¹	7 MFL	Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
11. Barium	2	2	Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.
12. Beryllium	0.004	0.004	Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.
13. Cadmium	0.005	0.005	Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.
14. Chromium (total)	0.1	0.1	Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.
15. Cyanide	0.2	0.2	Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
16. Fluoride	4.0	4.0	Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth, before they erupt from the gums.
17. Mercury (inorganic)	0.002	0.002	Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.
18. Nitrate	10	10	Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome.
19. Nitrite	1	1	Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome.
20. Total Nitrate and Nitrite	10	10	Infants below the age of six months who drink water containing nitrate and nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
21. Selenium	0.05	0.05	Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.
22. Thallium	0.0005	0.002	Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.
D. Lead and Copper Rule			
23. Lead	Zero	TT ¹²	Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
24. Copper	1.3	TT ¹³	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
E. Synthetic Organic Chemicals (SOCs)			
25. 2,4-D	0.07	0.07	Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.
26. 2,4,5-TP (Silvex)	0.05	0.05	Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.
27. Alachlor	Zero	0.002	Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.
28. Atrazine	0.003	0.003	Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.
29. Benzo(a)pyrene (PAHs)	Zero	0.0002	Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
30. Carbofuran	0.04	0.04	Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.
31. Chlordane	Zero	0.002	Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver, or nervous system, and may have an increased risk of getting cancer.
32. Dalapon	0.2	0.2	Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.
33. Di (2-ethylhexyl) adipate	0.4	0.4	Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience general toxic effects or reproductive difficulties.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
34. Di(2-ethylhexyl) phthalate	Zero	0.006	Some people who drink water containing di (2-ethylhexyl) phthalate in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer.
35. Dibromochloropropane (DBCP)	Zero	0.0002	Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
36. Dinoseb	0.007	0.007	Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.
37. Dioxin (2,3,7,8-TCDD)	Zero	3×10^{-8}	Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
38. Diquat	0.02	0.02	Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.
39. Endothall	0.1	0.1	Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.
40. Endrin	0.002	0.002	Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.
41. Ethylene dibromide	Zero	0.00005	Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.
42. Glyphosate	0.7	0.7	Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.
43. Heptachlor	Zero	0.0004	Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.
44. Heptachlor epoxide	Zero	0.0002	Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
45. Hexachlorobenzene	Zero	0.001	Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
46. Hexachlorocyclopentadiene	0.05	0.05	Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.
47. Lindane	0.0002	0.0002	Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.
48. Methoxychlor	0.04	0.04	Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.
49. Oxamyl (Vydate)	0.2	0.2	Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.
50. Pentachlorophenol	Zero	0.001	Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.
51. Picloram	0.5	0.5	Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.
52. Polychlorinated biphenyls (PCBs)	Zero	0.0005	Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
53. Simazine	0.004	0.004	Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.
54. Toxaphene	Zero	0.003	Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.
F. Volatile Organic Chemicals (VOCs)			
55. Benzene	Zero	0.005	Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
56. Carbon tetrachloride	Zero	0.005	Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
57. Chlorobenzene (monochlorobenzene)	0.1	0.1	Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.
58. <i>o</i> -Dichlorobenzene	0.6	0.6	Some people who drink water containing <i>o</i> -dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.
59. <i>p</i> -Dichlorobenzene	0.075	0.075	Some people who drink water containing <i>p</i> -dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.
60. 1,2-Dichloroethane	Zero	0.005	Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
61. 1,1-Dichloroethylene	0.007	0.007	Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
62. <i>cis</i> -1,2-Dichloroethylene	0.07	0.07	Some people who drink water containing <i>cis</i> -1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
63. <i>trans</i> -1,2-Dichloroethylene	0.1	0.1	Some people who drink water containing <i>trans</i> -1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.
64. Dichloromethane	Zero	0.005	Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.
65. 1,2-Dichloropropane	Zero	0.005	Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.
66. Ethylbenzene	0.7	0.7	Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.
67. Styrene	0.1	0.1	Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
68. Tetrachloroethylene	Zero	0.005	Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.
69. Toluene	1	1	Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.
70. 1,2,4-Trichlorobenzene	0.07	0.07	Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.
71. 1,1,1-Trichloroethane	0.2	0.2	Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.
72. 1,1,2-Trichloroethane	0.003	0.005	Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.
73. Trichloroethylene	Zero	0.005	Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
74. Vinyl chloride	Zero	0.002	Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.
75. Xylenes (total)	10	10	Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.
G. Radioactive Contaminants			
76. Beta/photon emitters	Zero	4 mrem/yr ¹	Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
77. Alpha emitters (Gross alpha)	Zero	15 pCi/L ¹⁵	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
78. Combined radium (226 & 228)	Zero	5 pCi/L	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
H. Disinfection Byproducts (DBPs), Byproduct Precursors, and Disinfectant Residuals: Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs). ¹⁶			
79. Total trihalomethanes (TTHMs)	N/A	0.10/ 0.080 ^{17,18}	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.
80. Haloacetic Acids (HAA)	N/A	0.060 ¹⁹	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
81. Bromate	Zero	0.010	Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.
82. Chlorite	0.08	1.0	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
83. Chlorine	4 (MRDLG) ²⁰	4.0 (MRDL) ²¹	Some people who use drinking water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.
84. Chloramines	4 (MRDLG)	4.0 (MRDL)	Some people who use drinking water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.

Appendix B
Standard Health Effects Language for Public Notification
(From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
85a. Chlorine dioxide, where any 2 consecutive daily samples taken at the entrance to the distribution system are above the MRDL	0.8 (MRDLG)	0.8 (MRDL)	<p>Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.</p> <p><u>Add for public notification only:</u> The chlorine dioxide violations reported today are the result of exceedances at the treatment facility only, not within the distribution system which delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers.</p>
85b. Chlorine dioxide, where one or more distribution system samples are above the MRDL	0.8 (MRDLG)	0.8 (MRDL)	<p>Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.</p> <p><u>Add for public notification only:</u> The chlorine dioxide violations reported today include exceedances of the EPA standard within the distribution system which delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure.</p>
86. Control of DBP precursors (TOC)	None	TT	<p>Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.</p>

Appendix B
Standard Health Effects Language for Public Notification
 (From Appendix B of 40 CFR 141, Subpart Q)

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
I. Other Treatment Techniques			
87. Acrylamide	Zero	TT	Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.
88. Epichlorohydrin	Zero	TT	Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

Appendix B Endnotes

1. MCLG - Maximum contaminant level goal
2. MCL - Maximum contaminant level
3. For water systems analyzing at least 40 samples per month, no more than 5.0 percent of the monthly samples may be positive for total coliforms. For systems analyzing fewer than 40 samples per month, no more than one sample per month may be positive for total coliforms.
4. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, the 1989 Surface Water Treatment Rule, and the 1998 Interim Enhanced Surface Water Treatment Rule. The MCL for the monthly turbidity average is 1 NTU; the MCL for the 2-day average is 5 NTU for systems that are required to filter but have not yet installed filtration (40 CFR 141.13).
5. NTU - Nephelometric turbidity unit
6. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, the 1989 Surface Water Treatment Rule (SWTR), and the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR). Systems subject to the Surface Water Treatment Rule (both filtered and unfiltered) may not exceed 5 NTU. In addition, in filtered systems, 95 percent of samples each month must not exceed 0.5 NTU in systems using conventional or direct filtration and must not exceed 1 NTU in systems using slow sand or diatomaceous earth filtration or other filtration technologies approved by the primacy agency.
7. TT - Treatment technique
8. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, the 1989 Surface Water Treatment Rule (SWTR), and the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR). For systems subject to the IESWTR (systems serving at least 10,000 people, using surface water or ground water under the direct influence of surface water), that use conventional filtration or direct filtration, after January 1, 2002, the turbidity level of a system's combined filter effluent may not exceed 0.3 NTU in at least 95 percent of monthly measurements, and the turbidity level of a system's combined filter effluent must not exceed 1 NTU at any time. Systems subject to the IESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the primacy agency.

9. The bacteria detected by heterotrophic plate count (HPC) are not necessarily harmful. HPC is simply an alternative method of determining disinfectant residual levels. The number of such bacteria is an indicator of whether there is enough disinfectant in the distribution system.

10. SWTR and IESWTR treatment technique violations that involve turbidity exceedances may use the health effects language for turbidity instead.

11. Millions of fibers per liter

12. Action Level = 0.015 mg/L

13. Action Level = 1.3 mg/L

14. Millirems per year

15. Picocuries per liter

16. Surface water systems and ground water systems under the direct influence of surface water are regulated under Subpart H of 40 CFR 141. Subpart H community and non-transient non-community systems serving $\geq 10,000$ must comply with DBP MCLs and disinfectant maximum residual disinfectant levels (MRDLs) beginning January 1, 2002. All other community and non-transient noncommunity systems must meet the MCLs and MRDLs beginning January 1, 2004. Subpart H transient non-community systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2002. Subpart H transient non-community systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004.

17. The MCL of 0.10 mg/l for TTHMs is in effect until January 1, 2002 for Subpart H community water systems serving 10,000 or more. This MCL is in effect until January 1, 2004 for community water systems with a population of 10,000 or more using only ground water not under the direct influence of surface water. After these deadlines, the MCL will be 0.080 mg/l. On January 1, 2004, all systems serving less than 10,000 will have to comply with the new MCL as well.

18. The MCL for total trihalomethanes is the sum of the concentrations of the individual trihalomethanes.

19. The MCL for haloacetic acids is the sum of the concentrations of the individual haloacetic acids.

20. MRDLG - Maximum residual disinfectant level goal

21. MRDL - Maximum residual disinfectant level

Appendix C

Translated Phrases

Language	"This report contains very important information about your drinking water. Translate it, or speak with someone who understands it."	"Boil your water before using"	"Don't drink the water"	"For parents of infants under six months old, don't use the water for infant formula."
Spanish	Este informe contiene información muy importante sobre su agua de beber. Tradúzcalo o hable con alguien que lo entienda bien.	Hiervan el agua antes de usarla.	No tome el agua.	Padres de familia con bebés de seis meses de edad y menores, no usen el agua para preparar alimentos para bebés.
French	Ce rapport contient des informations importantes sur votre eau potable. Traduisez-le ou parlez en avec quelqu'un qui le comprend bien.	Faites premièrement bouillir l'eau avant de l'utiliser.	Ne buvez pas l'eau.	Pour les parents d'enfants âgés de moins de six mois, n'utilisez pas l'eau pour reconstituer le lait en poudre pour bébé.
Chinese	此報告包含有關食水之重要訊息。如有不明之處，請向有關人士查詢。	飲用前請先煮沸水。	請勿喝此水。	各位父母：請勿用此水沖調奶粉給六個月或以下之嬰兒飲用。
Korean	이 보고는 식수에 대한 중요한 정보입니다. 이것을 번역하거나 이 글을 이해 할 수 있는 사람과 의논 하십시오.	이 물을 사용하기 전에 끓여서 쓰십시오.	이 물을 마시면 안됩니다.	6개월 미만 자녀의 부모 : 유아의 우유 준비에 이 물을 사용하지 마십시오.
Vietnamese	Bản tường trình này hướng dẫn những hiểu biết quan trọng liên quan đến nước dùng để uống của các bạn. Xin các bạn hãy dịch bản tường trình này ra tiếng Việt, hay nói với người nào hiểu biết bản tường trình này.	Phải đun sôi nước trước khi uống.	Không nên uống nước lá bất cứ từ nguồn nước nào.	Cha mẹ không được dùng nước lá để pha sữa cho các trẻ em sáu tháng tuổi hay nhỏ hơn.

The water glass and faucet pictured below may be useful in a posted notice that would be seen by many non-English speaking people to illustrate that they should not drink the water.



Appendix D

Summary of the Major Differences Between the 1987 and 2000 PN Rules

Note: this table is intended to be a summary of the two public notification rules. See Chapter 3 for a more detailed description of the PN rule, or Appendix E for a copy of Subpart Q.

Subject	1987 Rule (§ 141.32)	2000 PN Rule (Part 141, Subpart Q)
Who must give public notice?	Owners or operators of PWSs.	No change.
Who must be notified?	Persons served by the system.	Persons served by the system; obligations of selling/purchasing systems are specified.
What type of notice is required for each violation or situation?	Three-tier system, although tiers are not named. Tiers are divided into (1) violations of MCLs that may pose an acute risk to human health; (2) MCLs, treatment technique, and variance or exemption schedule violations; and (3) other violations (including monitoring) and operation under a variance or exemption.	<u>Tier 1</u> notice for violations or situations with significant potential to cause serious effects due to short-term exposure; <u>Tier 2</u> notice for all other violations or situations with potential to cause serious effects; and <u>Tier 3</u> notice for all other violations and situations not included in Tier 1 and Tier 2.
What are the reporting requirements?	Provide a copy of the notice to the State within 10 days.	Provide a copy of the notice plus a certification that all requirements have been met to the primacy agency within 10 days. New 24-hour consultation requirement for Tier 1 violations or situations and for some violations of turbidity treatment techniques or MCLs.
Which violations or situations require Tier 1 notice?	<u>Acute violations</u> including 1) Any violations specified by State 2) Nitrate/nitrite MCLs 3) Fecal coliform/ <i>E. coli</i> 4) Waterborne disease outbreak in unfiltered systems subject to the Surface Water Treatment Rule.	MCLs and some monitoring violations for fecal coliform/<i>E. coli</i>, nitrate, nitrite, total nitrate and nitrite MCLs ; exceedance of nitrate MCL by NCWS where allowed by the primacy agency; chlorine dioxide MRDL when one or more samples taken in distribution system on day after exceeding MRDL at entrance of distribution system, or when required samples are not taken in the distribution system; exceedance of turbidity limit where consultation does not occur within 24 hours or where primacy agency requires 24-hour notice; occurrence of a waterborne

Appendix D

Summary of the Major Differences Between the 1987 and 2000 PN Rules

Note: this table is intended to be a summary of the two public notification rules. See Chapter 3 for a more detailed description of the PN rule, or Appendix E for a copy of Subpart Q.

Subject	1987 Rule (§ 141.32)	2000 PN Rule (Part 141, Subpart Q)
		disease outbreak or other waterborne emergency ; other violations or situations as determined by the primacy agency.
When must Tier 1 notice be provided?	Within 72 hours. Additional deadlines: 14 days; again within 45 days (may be waived if state determines violation has been corrected); and repeat notice every three months thereafter.	Within 24 hours ; system must also initiate consultation with the primacy agency. Revised to <i>not</i> require additional notices for same violation, defers to primacy agency to set additional requirements on a case-by-case basis.
What is the form and manner of a Tier 1 notice?	Radio and television or by posting or hand delivery. Posting must continue as long as the violation persists. Additional notices: by newspaper within 14 days or posting or hand delivery if no newspaper is available; by mail within 45 days (may be waived if state determines violation has been corrected).	Radio and television or posting or hand delivery , or other method if approved by primacy agency. New performance standard to use another method reasonably calculated to reach all persons served. Posting must continue for as long as the violation persists.
Which violations or situations require Tier 2 notice?	Non-Tier 1 MCL, treatment technique, and variance or exemption schedule violations.	MCL, MRDL, treatment technique violations, except where Tier 1 is required; monitoring and testing procedure violations elevated by the primacy agency; and variance or exemption schedule violations.
When must Tier 2 notice be provided?	Within 14 days, again within 45 days (may be waived if state determines violation has been corrected), repeat notice every three months.	Within 30 days , repeat notice every three months. System must consult with the primacy agency within 24 hours of a treatment technique violation resulting from a single exceedance of turbidity limits or a turbidity MCL violation resulting from the average of two days of samples.

Appendix D

Summary of the Major Differences Between the 1987 and 2000 PN Rules

Note: this table is intended to be a summary of the two public notification rules. See Chapter 3 for a more detailed description of the PN rule, or Appendix E for a copy of Subpart Q.

Subject	1987 Rule (§ 141.32)	2000 PN Rule (Part 141, Subpart Q)
What is the form and manner of a Tier 2 notice?	<p>Newspaper within 14 days or by posting or hand delivery if no newspaper is available.</p> <p>Additional notices: by mail within 45 days (may be waived if state determines violation has been corrected), and repeat notice every three months thereafter by mail or hand delivery.</p>	<p>Unless primacy agency directs otherwise,</p> <p>CWS must use mail or hand delivery, and other methods reasonably calculated to reach others, as needed.</p> <p>NCWS must use posting, hand delivery, or mail, and other methods reasonably calculated to reach others, as needed.</p>
What violations or situations require Tier 3 notice?	Monitoring and testing procedure violations, and operation under variance or exemption.	Monitoring and testing procedure violations, and operation under variance or exemption, plus fluoride SMCL exceedances and availability of unregulated contaminant monitoring data (requirement was included in existing regulations that were moved to Subpart Q).
When must Tier 3 notice be provided?	Within three months. State may allow less frequent public notice (up to one year) for minor monitoring violations. Repeat notice every three months thereafter.	Within one year . Repeat notice annually.
What is the form and manner of a Tier 3 notice?	By newspaper, or by hand delivery or posting if no newspaper is available.	<p>Unless primacy agency directs otherwise,</p> <p>CWS must use mail or direct delivery, and other methods reasonably calculated to reach others, as needed.</p> <p>NCWS must use posting, direct delivery, or mail, and other methods reasonably calculated to reach others, as needed.</p> <p>Consumer Confidence Reports or other annual notices may be used, as long as the notice meets PN requirements.</p>

Appendix D

Summary of the Major Differences Between the 1987 and 2000 PN Rules

Note: this table is intended to be a summary of the two public notification rules. See Chapter 3 for a more detailed description of the PN rule, or Appendix E for a copy of Subpart Q.

Subject	1987 Rule (§ 141.32)	2000 PN Rule (Part 141, Subpart Q)
What information must a notice contain?	<p>A clear explanation of the violation, potential health effects, population at risk, steps being taken to correct violation, telephone number of operator, need to seek alternative water supplies, and any preventive measures consumers should take.</p> <p>Standard health effects language for MCL, treatment technique, variance or exemption schedule violations, and operation under a variance or exemption.</p>	<p>A description of the violation or situation; when the violation or situation occurred; potential adverse health effects; population(s) at risk; whether alternative water supplies should be used; actions consumers should take; system actions to correct the violation or situation; expected date of return to compliance; name, address, and phone number for additional information; and standard language encouraging distribution to others.</p> <p>An explanation of the reason(s) for a variance or exemption; the date it was issued; a brief status report on steps to comply with terms and schedules; and a notice of any opportunity for public input. Health effects language for operation under a variance or exemption no longer required.</p> <p>Revised mandatory health effects language using language from the CCR rule.</p> <p>Additional mandatory language for monitoring and testing procedure violations.</p>

Appendix D

Summary of the Major Differences Between the 1987 and 2000 PN Rules

Note: this table is intended to be a summary of the two public notification rules. See Chapter 3 for a more detailed description of the PN rule, or Appendix E for a copy of Subpart Q.

Subject	1987 Rule (§ 141.32)	2000 PN Rule (Part 141, Subpart Q)
What are the requirements for notice to new billing units?	CWSs must provide the most recent public notice for any outstanding violation of any MCL, treatment technique requirement, or V&E schedule.	Notice must be given for any outstanding violation or situation , including monitoring and testing procedure violations. NCWS must post a notice for as long as violation persists, even if the notice was initially hand-delivered or otherwise distributed.
What are the requirements for providing notice in other languages?	Provide multilingual notices "where appropriate."	For systems that serve a large proportion of non-English speaking consumers , notices must contain some information in the appropriate language(s) on the importance of the notice.
What are the certification requirements?	Provide a copy of the notice to the primacy agency within 10 days.	Submit a certification statement and a copy of initial and repeat notices to the primacy agency within 10 days.
How long must records be kept?	No recordkeeping provision.	Copies of notices and certifications must be kept for three years .

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Appendix E
The Public Notification Rule
(40 CFR Part 141, Subpart Q)

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Appendix C to Subpart Q of Part 141—List of Acronyms Used in Public Notification Regulation

Subpart Q—Public Notification of Drinking Water Violations

§ 141.201 General public notification requirements.

Public water systems in States with primacy for the public water system supervision (PWSS) program must comply with the requirements in this subpart no later than May 6, 2002 or on the date the State-adopted rule becomes effective, whichever comes first. Public water systems in jurisdictions where EPA directly implements the PWSS program must comply with the requirements in this subpart on October 31, 2000. Prior to these dates, public water systems must continue to comply with the public notice requirements in § 141.32 of this part. The term "primacy agency" is used in this subpart to refer to either EPA or the State or the Tribe in cases where EPA, the State, or the Tribe exercises primary enforcement responsibility for this subpart.

(a) *Who must give public notice?* Each owner or operator of a public water system (community water systems, non-transient non-community water systems, and transient non-community water systems) must give notice for all violations of national primary drinking water regulations (NPDWR) and for other situations, as listed in Table 1. The term "NPDWR violations" is used in this subpart to include violations of the maximum contaminant level (MCL), maximum residual disinfection level (MRDL), treatment technique (TT), monitoring requirements, and testing procedures in this part 141. Appendix A to this subpart identifies the tier assignment for each specific violation or situation requiring a public notice.

TABLE 1 TO § 141.201.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A PUBLIC NOTICE

- (1) NPDWR violations:
 - (i) Failure to comply with an applicable maximum contaminant level (MCL) or maximum residual disinfectant level (MRDL).
 - (ii) Failure to comply with a prescribed treatment technique (TT).
 - (iii) Failure to perform water quality monitoring, as required by the drinking water regulations.
 - (iv) Failure to comply with testing procedures as prescribed by a drinking water regulation.
- (2) Variance and exemptions under sections 1415 and 1416 of SDWA:
 - (i) Operation under a variance or an exemption.

TABLE 1 TO § 141.201.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A PUBLIC NOTICE—Continued

- (ii) Failure to comply with the requirements of any schedule that has been set under a variance or exemption.
- (3) Special public notices:
 - (i) Occurrence of a waterborne disease outbreak or other waterborne emergency.
 - (ii) Exceedance of the nitrate MCL by non-community water systems (NCWS), where granted permission by the primacy agency under 141.11(d) of this part.
 - (iii) Exceedance of the secondary maximum contaminant level (SMCL) for fluoride.
 - (iv) Availability of unregulated contaminant monitoring data.
 - (v) Other violations and situations determined by the primacy agency to require a public notice under this subpart, not already listed in Appendix A.

(b) What type of public notice is required for each violation or situation? Public notice requirements are divided into three tiers, to take into account the seriousness of the violation or situation and of any potential adverse health effects that may be involved. The public notice requirements for each violation or situation listed in Table 1 of this section are determined by the tier to which it is assigned. Table 2 of this section provides the definition of each tier. Appendix A of this part identifies the tier assignment for each specific violation or situation.

TABLE 2 TO § 141.201.—DEFINITION OF PUBLIC NOTICE TIERS

- (1) *Tier 1 public notice*—required for NPDWR violations and situations with significant potential to have serious adverse effects on human health as a result of short-term exposure.
- (2) *Tier 2 public notice*—required for all other NPDWR violations and situations with potential to have serious adverse effects on human health.
- (3) *Tier 3 public notice*—required for all other NPDWR violations and situations not included in Tier 1 and Tier 2.

(c) Who must be notified?

(1) Each public water system must provide public notice to persons served by the water system, in accordance with this subpart. Public water systems that sell or otherwise provide drinking water to other public water systems (i.e., to consecutive systems) are required to give public notice to the owner or operator of the consecutive system; the consecutive system is responsible for

Subpart Q—Public Notification of Drinking Water Violations

Sec.

- 141.201 General public notification requirements.
- 141.202 *Tier 1 Public Notice*—Form, manner, and frequency of notice.
- 141.203 *Tier 2 Public Notice*—Form, manner, and frequency of notice.
- 141.204 *Tier 3 Public Notice*—Form, manner, and frequency of notice.
- 141.205 Content of the public notice.
- 141.206 Notice to new billing units or new customers.
- 141.207 Special notice of the availability of unregulated contaminant monitoring results.
- 141.208 Special notice for exceedance of the SMCL for fluoride.
- 141.209 Special notice for nitrate exceedances above MCL by non-community water systems (NCWS), where granted permission by the primacy agency under § 141.11(d).
- 141.210 Notice by primacy agency on behalf of the public water system.
- Appendix A to Subpart Q of Part 141—NPDWR Violations and Situations Requiring Public Notice
- Appendix B to Subpart Q of Part 141—Standard Health Effects Language for Public Notification

providing public notice to the persons it serves.

(2) If a public water system has a violation in a portion of the distribution system that is physically or hydraulically isolated from other parts of the distribution system, the primacy agency may allow the system to limit distribution of the public notice to only persons served by that portion of the system which is out of compliance. Permission by the primacy agency for limiting distribution of the notice must be granted in writing.

(3) A copy of the notice must also be sent to the primacy agency, in accordance with the requirements under § 141.31(d).

§ 141.202 Tier 1 Public Notice—Form, manner, and frequency of notice.

(a) Which violations or situations require a Tier 1 public notice? Table 1 of this section lists the violation categories and other situations requiring a Tier 1 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.

TABLE 1 TO § 141.202.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 1 PUBLIC NOTICE

- (1) Violation of the MCL for total coliforms when fecal coliform or *E. coli* are present in the water distribution system (as specified in § 141.63(b)), or when the water system fails to test for fecal coliforms or *E. coli* when any repeat sample tests positive for coliform (as specified in § 141.21(e));
- (2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, as defined in § 141.62, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL, as specified in § 141.23(f)(2);
- (3) Exceedance of the nitrate MCL by non-community water systems, where permitted to exceed the MCL by the primacy agency under § 141.11(d), as required under § 141.209;
- (4) Violation of the MRDL for chlorine dioxide, as defined in § 141.65(a), when one or more samples taken in the distribution system the day following an exceedance of the MRDL at the entrance of the distribution system exceed the MRDL, or when the water system does not take the required samples in the distribution system, as specified in § 141.133(c)(2)(i);
- (5) Violation of the turbidity MCL under § 141.13(b), where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation;

TABLE 1 TO § 141.202.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 1 PUBLIC NOTICE—Continued

- (6) Violation of the Surface Water Treatment Rule (SWTR) or Interim Enhanced Surface Water Treatment rule (IESWTR) treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit (as identified in Appendix A), where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation;
- (7) Occurrence of a waterborne disease outbreak, as defined in § 141.2, or other waterborne emergency (such as a failure or significant interruption in key water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that significantly increases the potential for drinking water contamination);
- (8) Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the primacy agency either in its regulations or on a case-by-case basis.

(b) *When is the Tier 1 public notice to be provided?* What additional steps are required? Public water systems must:

(1) Provide a public notice as soon as practical but no later than 24 hours after the system learns of the violation;

(2) Initiate consultation with the primacy agency as soon as practical, but no later than 24 hours after the public water system learns of the violation or situation, to determine additional public notice requirements; and

(3) Comply with any additional public notification requirements (including any repeat notices or direction on the duration of the posted notices) that are established as a result of the consultation with the primacy agency. Such requirements may include the timing, form, manner, frequency, and content of repeat notices (if any) and other actions designed to reach all persons served.

(c) What is the form and manner of the public notice? Public water systems must provide the notice within 24 hours in a form and manner reasonably calculated to reach all persons served. The form and manner used by the public water system are to fit the specific situation, but must be designed to reach residential, transient, and non-transient users of the water system. In order to reach all persons served, water systems are to use, at a minimum, one

or more of the following forms of delivery:

- (1) Appropriate broadcast media (such as radio and television);
- (2) Posting of the notice in conspicuous locations throughout the area served by the water system;
- (3) Hand delivery of the notice to persons served by the water system; or
- (4) Another delivery method approved in writing by the primacy agency.

§ 141.203 Tier 2 Public Notice—Form, manner, and frequency of notice.

(a) Which violations or situations require a Tier 2 public notice? Table 1 of this section lists the violation categories and other situations requiring a Tier 2 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.

TABLE 1 TO § 141.203.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 2 PUBLIC NOTICE

- (1) All violations of the MCL, MRDL, and treatment technique requirements, except where a Tier 1 notice is required under § 141.202(a) or where the primacy agency determines that a Tier 1 notice is required;
- (2) Violations of the monitoring and testing procedure requirements, where the primacy agency determines that a Tier 2 rather than a Tier 3 public notice is required, taking into account potential health impacts and persistence of the violation; and
- (3) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) *When is the Tier 2 public notice to be provided?*

(1) Public water systems must provide the public notice as soon as practical, but no later than 30 days after the system learns of the violation. If the public notice is posted, the notice must remain in place for as long as the violation or situation persists, but in no case for less than seven days, even if the violation or situation is resolved. The primacy agency may, in appropriate circumstances, allow additional time for the initial notice of up to three months from the date the system learns of the violation. It is not appropriate for the primacy agency to grant an extension to the 30-day deadline for any unresolved violation or to allow across-the-board extensions by rule or policy for other violations or situations requiring a Tier 2 public notice. Extensions granted by the primacy agency must be in writing.

(2) The public water system must repeat the notice every three months as

long as the violation or situation persists, unless the primacy agency determines that appropriate circumstances warrant a different repeat notice frequency. In no circumstance may the repeat notice be given less frequently than once per year. It is not appropriate for the primacy agency to allow less frequent repeat notice for an MCL violation under the Total Coliform Rule or a treatment technique violation under the Surface Water Treatment Rule or Interim Enhanced Surface Water Treatment Rule. It is also not appropriate for the primacy agency to allow through its rules or policies across-the-board reductions in the repeat notice frequency for other ongoing violations requiring a Tier 2 repeat notice. Primacy agency determinations allowing repeat notices to be given less frequently than once every three months must be in writing.

(3) For the turbidity violations specified in this paragraph, public water systems must consult with the primacy agency as soon as practical but no later than 24 hours after the public water system learns of the violation, to determine whether a Tier 1 public notice under § 141.202(a) is required to protect public health. When consultation does not take place within the 24-hour period, the water system must distribute a Tier 1 notice of the violation within the next 24 hours (*i.e.*, no later than 48 hours after the system learns of the violation), following the requirements under § 141.202(b) and (c). Consultation with the primacy agency is required for:

- (i) Violation of the turbidity MCL under § 141.13(b); or
- (ii) Violation of the SWTR or IESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit.

(c) *What is the form and manner of the Tier 2 public notice?* Public water systems must provide the initial public notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:

(1) Unless directed otherwise by the primacy agency in writing, community water systems must provide notice by:

- (i) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and

(ii) Any other method reasonably calculated to reach other persons

regularly served by the system, if they would not normally be reached by the notice required in paragraph (c)(1)(i) of this section. Such persons may include those who do not pay water bills or do not have service connection addresses (*e.g.*, house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include: Publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (*e.g.*, apartment building owners or large private employers); posting in public places served by the system or on the Internet; or delivery to community organizations.

(2) Unless directed otherwise by the primacy agency in writing, non-community water systems must provide notice by:

(i) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); and

(ii) Any other method reasonably calculated to reach other persons served by the system if they would not normally be reached by the notice required in paragraph (c)(2)(i) of this section. Such persons may include those served who may not see a posted notice because the posted notice is not in a location they routinely pass by. Other methods may include: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or, delivery of multiple copies in central locations (*e.g.*, community centers).

§ 141.204 Tier 3 Public Notice—Form, manner, and frequency of notice.

(a) Which violations or situations require a Tier 3 public notice? Table 1 of this section lists the violation categories and other situations requiring a Tier 3 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.

TABLE 1 TO § 141.204.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 3 PUBLIC NOTICE

(1) Monitoring violations under 40 CFR part 141, except where a Tier 1 notice is required under § 141.202(a) or where the primacy agency determines that a Tier 2 notice is required;

TABLE 1 TO § 141.204.—VIOLATION CATEGORIES AND OTHER SITUATIONS REQUIRING A TIER 3 PUBLIC NOTICE—Continued

- (2) Failure to comply with a testing procedure established in 40 CFR part 141, except where a Tier 1 notice is required under § 141.202(a) or where the primacy agency determines that a Tier 2 notice is required;
- (3) Operation under a variance granted under Section 1415 or an exemption granted under Section 1416 of the Safe Drinking Water Act;
- (4) Availability of unregulated contaminant monitoring results, as required under § 141.207; and
- (5) Exceedance of the fluoride secondary maximum contaminant level (SMCL), as required under § 141.208.

(b) *When is the Tier 3 public notice to be provided?*

(1) Public water systems must provide the public notice not later than one year after the public water system learns of the violation or situation or begins operating under a variance or exemption. Following the initial notice, the public water system must repeat the notice annually for as long as the violation, variance, exemption, or other situation persists. If the public notice is posted, the notice must remain in place for as long as the violation, variance, exemption, or other situation persists, but in no case less than seven days (even if the violation or situation is resolved).

(2) (2) Instead of individual Tier 3 public notices, a public water system may use an annual report detailing all violations and situations that occurred during the previous twelve months, as long as the timing requirements of paragraph (b)(1) of this section are met.

(c) *What is the form and manner of the Tier 3 public notice?* Public water systems must provide the initial notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:

(1) Unless directed otherwise by the primacy agency in writing, community water systems must provide notice by:

- (i) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and

(ii) Any other method reasonably calculated to reach other persons regularly served by the system, if they would not normally be reached by the notice required in paragraph (c)(1)(i) of

this section. Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include: Publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places or on the Internet; or delivery to community organizations.

(2) Unless directed otherwise by the primacy agency in writing, non-community water systems must provide notice by:

(i) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); and

(ii) Any other method reasonably calculated to reach other persons served by the system, if they would not normally be reached by the notice required in paragraph (c)(2)(i) of this section. Such persons may include those who may not see a posted notice because the notice is not in a location they routinely pass by. Other methods may include: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or, delivery of multiple copies in central locations (e.g., community centers).

(d) In what situations may the Consumer Confidence Report be used to meet the Tier 3 public notice requirements? For community water systems, the Consumer Confidence Report (CCR) required under Subpart O of this part may be used as a vehicle for the initial Tier 3 public notice and all required repeat notices, as long as:

(1) The CCR is provided to persons served no later than 12 months after the system learns of the violation or situation as required under § 141.204(b);

(2) The Tier 3 notice contained in the CCR follows the content requirements under § 141.205; and

(3) The CCR is distributed following the delivery requirements under § 141.204(c).

§ 141.205 Content of the public notice.

(a) What elements must be included in the public notice for violations of National Primary Drinking Water Regulations (NPDWR) or other situations requiring a public notice? When a public water system violates a NPDWR or has a situation requiring public notification, each public notice must include the following elements:

(1) A description of the violation or situation, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) When the violation or situation occurred;

(3) Any potential adverse health effects from the violation or situation, including the standard language under paragraph (d)(1) or (d)(2) of this section, whichever is applicable;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the system is doing to correct the violation or situation;

(8) When the water system expects to return to compliance or resolve the situation;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the public water system as a source of additional information concerning the notice; and

(10) A statement to encourage the notice recipient to distribute the public notice to other persons served, using the standard language under paragraph (d)(3) of this section, where applicable.

(b) What elements must be included in the public notice for public water systems operating under a variance or exemption?

(1) If a public water system has been granted a variance or an exemption, the public notice must contain:

(i) An explanation of the reasons for the variance or exemption;

(ii) The date on which the variance or exemption was issued;

(iii) A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and

(iv) A notice of any opportunity for public input in the review of the variance or exemption.

(2) If a public water system violates the conditions of a variance or exemption, the public notice must contain the ten elements listed in paragraph (a) of this section.

(c) How is the public notice to be presented?

(1) Each public notice required by this section:

(i) Must be displayed in a conspicuous way when printed or posted;

(ii) Must not contain overly technical language or very small print;

(iii) Must not be formatted in a way that defeats the purpose of the notice;

(iv) Must not contain language which nullifies the purpose of the notice.

(2) Each public notice required by this section must comply with multilingual requirements, as follows:

(i) For public water systems serving a large proportion of non-English speaking consumers, as determined by the primacy agency, the public notice must contain information in the appropriate language(s) regarding the importance of the notice or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the notice or to request assistance in the appropriate language.

(ii) In cases where the primacy agency has not determined what constitutes a large proportion of non-English speaking consumers, the public water system must include in the public notice the same information as in paragraph (c)(2)(i) of this section, where appropriate to reach a large proportion of non-English speaking persons served by the water system.

(d) What standard language must public water systems include in their public notice? Public water systems are required to include the following standard language in their public notice:

(1) Standard health effects language for MCL or MRDL violations, treatment technique violations, and violations of the condition of a variance or exemption. Public water systems must include in each public notice the health effects language specified in Appendix B to this subpart corresponding to each MCL, MRDL, and treatment technique violation listed in Appendix A to this subpart, and for each violation of a condition of a variance or exemption.

(2) Standard language for monitoring and testing procedure violations. Public water systems must include the following language in their notice, including the language necessary to fill in the blanks, for all monitoring and testing procedure violations listed in Appendix A to this subpart:

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period], we "did not monitor or test" or "did not complete all monitoring or testing" for [contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time.

(3) Standard language to encourage the distribution of the public notice to all persons served. Public water systems must include in their notice the following language (where applicable):

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

§ 141.206 Notice to new billing units or new customers.

(a) What is the requirement for community water systems? Community water systems must give a copy of the most recent public notice for any continuing violation, the existence of a variance or exemption, or other ongoing situations requiring a public notice to all new billing units or new customers prior to or at the time service begins.

(b) What is the requirement for non-community water systems? Non-community water systems must continuously post the public notice in conspicuous locations in order to inform new consumers of any continuing violation, variance or exemption, or other situation requiring a public notice for as long as the violation, variance, exemption, or other situation persists.

§ 141.207 Special notice of the availability of unregulated contaminant monitoring results.

(a) When is the special notice to be given? The owner or operator of a community water system or non-transient, non-community water system required to monitor under § 141.40 must notify persons served by the system of the availability of the results of such sampling no later than 12 months after the monitoring results are known.

(b) What is the form and manner of the special notice? The form and manner of the public notice must follow the requirements for a Tier 3 public notice prescribed in §§ 141.204(c), (d)(1), and (d)(3). The notice must also identify a person and provide the telephone number to contact for information on the monitoring results.

§ 141.208 Special notice for exceedance of the SMCL for fluoride.

(a) When is the special notice to be given? Community water systems that exceed the fluoride secondary maximum contaminant level (SMCL) of 2 mg/l as specified in § 143.3 (determined by the last single sample taken in accordance with § 141.23), but

do not exceed the maximum contaminant level (MCL) of 4 mg/l for fluoride (as specified in § 141.62), must provide the public notice in paragraph (c) of this section to persons served. Public notice must be provided as soon as practical but no later than 12 months from the day the water system learns of the exceedance. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the State public health officer. The public water system must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the SMCL is exceeded, but in no case less than seven days (even if the exceedance is eliminated). On a case-by-case basis, the primacy agency may require an initial notice sooner than 12 months and repeat notices more frequently than annually.

(b) What is the form and manner of the special notice? The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in § 141.204(c) and (d)(1) and (d)(3).

(c) What mandatory language must be contained in the special notice? The notice must contain the following language, including the language necessary to fill in the blanks:

This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/l.

Dental fluorosis, in its moderate or severe forms, may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.

Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental

Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem.

For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP."

§ 141.209 Special notice for nitrate exceedances above MCL by non-community water systems (NCWS), where granted permission by the primacy agency under § 141.11(d)

(a) When is the special notice to be given? The owner or operator of a non-community water system granted permission by the primacy agency under § 141.11(d) to exceed the nitrate MCL must provide notice to persons served according to the requirements for a Tier 1 notice under § 141.202(a) and (b).

(b) What is the form and manner of the special notice? Non-community water systems granted permission by the primacy agency to exceed the nitrate MCL under § 141.11(d) must provide continuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure, according to the requirements for Tier 1 notice delivery under § 141.202(c) and the content requirements under § 141.205.

§ 141.210 Notice by primacy agency on behalf of the public water system.

(a) May the primacy agency give the notice on behalf of the public water system? The primacy agency may give the notice required by this subpart on behalf of the owner and operator of the public water system if the primacy agency complies with the requirements of this subpart.

(b) What is the responsibility of the public water system when notice is given by the primacy agency? The owner or operator of the public water system remains responsible for ensuring that the requirements of this subpart are met.

§ 142.14 Records kept by States.

* * * * *

(f) Public notification records under Subpart Q of Part 141 of this chapter received from public water systems (including certifications of compliance and copies of public notices) and any state determinations establishing alternative public notification requirements for the water systems must be retained for three years.

* * * * *

4. Section 142.15 is amended by revising paragraph (a)(1), to read as follows:

§ 142.15 Reports by States.

* * * * *

(a) * * *

(1) New violations by public water systems in the State during the previous quarter of State regulations adopted to incorporate the requirements of national primary drinking water regulations, including violations of the public notification requirements under Subpart Q of Part 141 of this chapter;

* * * * *

5. Section 142.16 is amended by revising paragraph (a), to read as follows:

§ 142.16 Special primacy requirements.

(a) *State public notification requirements.*

(1) Each State that has primary enforcement authority under this part must submit complete and final requests for approval of program revisions to adopt the requirements of Subpart Q of Part 141 of this chapter, using the procedures in § 142.12(b) through (d). At its option, a State may, by rule, and after notice and comment, establish alternative public notification requirements with respect to the form and content of the public notice required under Subpart Q of Part 141 of this chapter. The alternative requirements must provide the same type and amount of information required under Subpart Q and must meet the primacy requirements under § 142.10.

(2) As part of the revised primacy program, a State must also establish enforceable requirements and procedures when the State adds to or changes the requirements under:

(i) *Table 1 to 40 CFR 141.201(a)(Item (3)(v))*—To require public water systems to give a public notice for violations or situations other than those listed in Appendix A of Subpart Q of Part 141 of this chapter;

(ii) *40 CFR 141.201(c)(2)*—To allow public water systems, under the specific circumstances listed in § 141.201(c)(2),

PART 142—[AMENDED]

1. The authority citation for Part 142 continues to read as follows:

Authority: 42 U.S.C. 300f, 300g-1, 300g-2, 300 g-3, 300g-4, 300 g-5, 300 g-6, 300 j-4, 300 j-9, and 300 j-11.

2. Section 142.10 is amended by revising paragraph (b)(6)(v) to read as follows:

§ 142.10 Requirements for a determination of primary enforcement responsibility.

(b) * * *

(6) * * *

(v) Authority to require public water systems to give public notice that is no less stringent than the EPA requirements in Subpart Q of Part 141 of this chapter and § 142.16(a).

3. Section 142.14 is amended by redesignating paragraph (f) as (g) and adding a new (f), to read as follows:

to limit the distribution of the public notice to persons served by the portion of the distribution system that is out of compliance;

(iii) *Table 1 of 40 CFR 141.202(a) (Items (5), (6), and (8))*—To require public water systems to give a Tier 1 public notice (rather than a Tier 2 or Tier 3 notice) for violations or situations listed in Appendix A of Subpart Q of Part 141 of this chapter;

(iv) *40 CFR 141.202(b)(3)*—To require public water systems to comply with additional Tier 1 public notification requirements set by the State subsequent to the initial 24-hour Tier 1 notice, as a result of their consultation with the State required under §§ 141.202(b)(2);

(v) *40 CFR 141.202(c), 141.203(c) and 141.204(c)*—To require a different form and manner of delivery for Tier 1, 2 and 3 public notices.

(vi) *Table 1 to 40 CFR 141.203(a) (Item (2))*—To require the public water

systems to provide a Tier 2 public notice (rather than Tier (3)) for monitoring or testing procedure violations specified by the State;

(vii) *40 CFR 141.203(b)(1)*—To grant public water systems an extension up to three months for distributing the Tier 2 public notice in appropriate circumstances (other than those specifically excluded in the rule);

(viii) *40 CFR 141.203(b)(2)*—To grant a different repeat notice frequency for the Tier 2 public notice in appropriate circumstances (other than those specifically excluded in the rule), but no less frequently than once per year;

(ix) *40 CFR 141.203(b)(3)*—To respond within 24 hours to a request for consultation by the public water system to determine whether a Tier 1 (rather than a Tier 2) notice is required for a turbidity MCL violation under § 141.13(b) or a SWTR/IESWTR TT violation due to a single exceedance of the maximum allowable turbidity limit;

(x) *40 CFR 141.205(c)*—To determine the specific multilingual requirement for a public water system, including defining "large proportion of non-English-speaking consumers."

* * * * *

§ 142.16 [Amended]

6. Section 142.16(e) introductory text is amended by removing "§ 141.32".

PART 143—[AMENDED]

1. The authority citation for Part 143 continues to read as follows:

Authority: 42 U.S.C. 300f *et seq.*

§ 143.5 [Removed]

2. Part 143 is amended by removing § 143.5.

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